

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 15690 OF 2023

Vashumal Lalchand Mankani

.Petitioner

Vs.

The State of Maharashtra & ors.

.Respondents

Mr. Santosh L. Patil a/w. Ms. Shraddha N. Kadam, Advocate, for the Petitioner

Ms. V. S. Nimbalkar, AGP, for the Respondent – State

Mr. Yuvraj Shinde, Dy. S.P., State Excise, Pune present

CORAM : MADHAV J. JAMDAR, J.

DATE : 20.12.2023

P. C.

1. Heard Mr. Patil, learned counsel appearing for the Petitioner & Ms. Nimbalkar, learned AGP appearing for the Respondent – State.

2. The impugned order in the present Writ Petition is the order dated 24.11.2023 passed by the Collector, Pune, by which the directions were given to close establishment of the Petitioner till further orders. The said order is admittedly challenged by filing an Appeal under Section 137(2) of the Bombay Prohibition Act, 1949 before the Commissioner of State Excise, State of Maharashtra, Mumbai.

3. Ms. Nimbalkar, learned AGP appearing for the Respondent – State, on instructions, states that Stay Application in the said Appeal will be decided within a period of one week.

4. The Writ Petition is disposed of by directing the Commissioner of State Excise – Respondent No. 2 to decide the Stay Application filed in Appeal challenging the Order dated 24.11.2023 passed by the Collector, Pune on or before 29.12.2023.

5. The Writ Petition is disposed of in above terms with no order as to costs.

6. It is clarified that this Court has not considered the merits and all the contentions on merits of all the parties are expressly kept open.

(MADHAV J. JAMDAR, J.)