

Arjun

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

WRIT PETITION NO.15989 OF 2023

Smt. Neelam Ganesh Suryawanshi ...Petitioner
M/s. Airking Restaurant & Permit room

V/s.

The State of Maharashtra & Ors. ...Respondents

Mr. Surel Shah a/w Vinayak Salokhe, Sampada Khanolkar &
Megha Jani i/b D. B. Savant, for the Petitioner.

Mr. P. G. Sawant, AGP, for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : DECEMBER 21, 2023

P.C.:

1. Heard Mr. Shah, learned Counsel appearing for the Petitioner and Mr. Sawant, learned AGP for the Respondent-State.

2. By the present Writ Petition filed under Article 227 of the Constitution of India the Petitioner is challenging the legality and validity of the Order dated 4th October 2023 passed by the Respondent No.3-Collector of Pune (State Excise Department) in FLR.112023/8089/Supdt. which has been confirmed by the Order dated 8th December 2023 passed by the Commissioner of State Excise, Maharashtra State, Mumbai in Appeal No.284 of 2023.

3. Mr. Shah, learned Counsel submitted that the said Orders are challenged before the Hon'ble Minister of State Excise. He states that the said Revision is not considered and even the Stay

Application filed in the said Revision is also not considered.

4. Mr. Sawant, learned AGP, on instructions, states that the said Revision will be decided within a period of three months from today.

5. However, Mr. Shah, learned Counsel states that there is urgency as a liquor stock of approximately Rs.10,00,000/- is lying inside the said sealed license premises.

6. Accordingly, the Writ Petition is disposed of by passing the following Order :-

- (i) The Hon'ble Minister of State Excise is requested to decide the Stay Application filed in the Revision *inter alia* challenging the Order dated 8th December 2023 passed by the Commissioner of State Excise in Appeal No.284 of 2023 expeditiously on or before 30th December 2023.
- (ii) The Hon'ble Minister of State Excise is requested to dispose of the said Revision expeditiously and in any event on or before 31st March 2024.

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

8. The Writ Petition is disposed of in the above terms with no Order as to costs.

[MADHAV J. JAMDAR, J.]