



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 WRIT PETITION NO. 3796 OF 2024

NITIN VIJAYKUMAR JAISWAL

VERSUS

**THE STATE OF MAHARASHTRA THR THE DISTRICT
COLLECTOR AND ANR**

...

Ms.A.S. Jadhav i/by Shri Undre Vikram Shivaji, Advocate for the
Petitioner.

Shri A.B. Girase, Government Pleader for Respondent Nos.1 and
2/State.

...

**CORAM : RAVINDRA V. GHUGE
&
R.M. JOSHI, JJ.**

DATE :- 12th April, 2024

Per Court :-

1. The Petitioner has put forth prayer clauses A and B
as under:-

“A) *By issuing writ of certiorari or any other writ
in the like nature, this Hon’ble Court may
kindly be pleased to quash and set aside the
order dated 05.04.2024 in proceedings
No.CLR/ FLR 112019/481 passed by the
District Collector, Chh. Sambhajinagar.*

B) *Pending hearing and final disposal of this writ
petition, this Hon’ble High Court may kindly
be pleased to grant stay to the effect,
implementation and execution of the order
dated 05.04.2024 in proceedings No.CLR/ FLR*

*112019/481 passed by the District Collector,
Chh. Sambhajinagar.”*

2. The Petitioner was issued with the notice dated 05.04.2024, by the District Collector, Chhatrapati Sambhajinagar, under Section 142(1) of the Maharashtra Prohibition Act thereby, directing the shops dispensing liquor, to be closed on 11th April, 2024 (on the occasion of Ramzan Eid), 14th April, 2024 (on the occasion of Dr.Babasaheb Ambedkar Jayanti) and 17th April, 2024 (on the occasion of Shri Ram Navami Utsav).

3. A motion for urgent circulation was moved on 10.04.2024, after the Writ Petition was filed on the same day. This was followed by a holiday on 11th April, 2024 on the occasion of Ramzan Eid. As such, this Writ Petition is rendered infructuous with regard to the prohibitory order in relation to Ramzan Eid.

4. With regard to the occasions falling on 14th April and 17th April, 2024, we find that a notice has already been issued under Rule 26(1)(d) of the Maharashtra Country Liquor

Rules, 1973. Seven clear days notice is apparently issued. Considering the same and taking into account the reasons mentioned by the District Collector for directing closer of the shops on the said dates, we do not find any cause to exercise our writ jurisdiction.

5. The learned Advocate for the Petitioner submits, on instructions, that the Petitioner desires to withdraw this petition.

6. In view of the above statement, **this Writ Petition is disposed off as withdrawn**, on instructions.

kps (R.M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)