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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 WRIT PETITION NO. 7025 OF 2024

PARVATIBAI NARAYANRAO KADAM DIED THROUGH LR ASHABAI
MADHAVRAO PAWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE PRINCIPAL
SECRETARY AND ANOTHER

Mr.V.S.Undre, Advocate for the Petitioner.
Mr.S.K.Tambe, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : JULY 12, 2024

PER COURT :

1. The learned AGP has strenuously opposed this Petition.
2. Issue is that the Petitioner tendered a Revision Application dated ____ July, 2024 u/s 138 of the Maharashtra Prohibition Act. The Petitioner claims that her deceased husband was holding a license in Form CL-III granted in 1972. Her husband could not operate the shop due to personal difficulties. In 1999, he applied for renewal of CL-III license, on 12.07.1999. The Commissioner of State Excise directed that the license be renewed by charging entire fees from 1973 to

31.03.2000. The Petitioner claims that her husband deposited the entire fees of Rs. 61,400/- for this whole period, receipt of which is placed on record.

3. The learned AGP submits that though there is an inward stamp of the office of the Minister, State Excise, Navin Urja, dated 24.07.2014, the revision application of the Petitioner is not traceable. The learned Advocate for the Petitioner submits that he would reconstruct the file and tender it to the Department within 30 days. We have not dealt with the contention of the learned AGP that the Petitioner was in deep slumber for 10 years and did not pursue the application. The said issue is left open to be decided.

4. In view of the above, once the Petitioner reconstructs the file and deposits it with Respondent No.2, State Excise Department, the Competent Authority would proceed to decide the said application on its own merits within a period of 90 days. Needless to state, we have not expressed any opinion as regards the merits of the claim of the Petitioner. Accordingly, **the Writ Petition stands disposed off.**

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)