

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4836 OF 2024

Bharat Agri Fert & Realty Ltd.

... Petitioner

Versus

State of Maharashtra & Ors.

... Respondents

Mr. Amogh Singh a/w. Mr. Kaustubh Patil for the Petitioner.

Ms. Shruti D. Vyas, Addl. G.P. a/w. Ms. P. N. Diwan, AGP for Respondent-State.

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CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 28th MARCH 2024

P.C.

1. We have heard learned Counsel for the parties. The Petitioner is aggrieved by the communication dated 18th March 2024, whereby the Respondents have demanded the principal amount of Rs.18,19,125/- from the Petitioner towards the license fees for the periods 2019-20 to 2022-2023. The total amount along with interest is Rs.28,50,045/-. As such amounts are not paid, the Petitioner's license under the Maharashtra Prohibition Act, 1949 for sale of liquor is not being renewed.

2. Considering the facts and circumstances of the case, we are of the opinion that, without prejudice to the rights and contentions of the Petitioner, as a condition for renewal for the said license, the Petitioner needs to deposit

with the Respondents a principal amount of Rs.18,19,125/-, which will be deposited within a period of one week from today. Respondents shall consider the Petitioner's application for renewal of the license in accordance with law. Respondents are also directed to file reply affidavit in regard to the contentions raised by the Petitioners.

3. We shall hear the parties on the issues raised by the Petitioner and make an endeavour to pass appropriate orders at the adjourned date of hearing.

4. Needless to observe that the Respondents should also consider the Petitioner's contention that they are not a 3-star hotel, in view of the letter dated 26th April 2023 issued by the Ministry of Tourism, Government of India (Exhibit-M, Page-48 of the Petition).

5. Stand over to **12th April 2024 "HOB"**.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)