

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

WRIT PETITION NO. 10668 OF 2024

M/s. Hotel Seven Seas Hospitality

.. Petitioner

Versus

The District Collector State Excise
Dept. Pune & Another

.. Respondents

Adv. Mr. Vikram Undre, for the Petitioner.

Adv. A. I. Patel, Addl. G. P. with Ms. P. N. Diwan, AGP, for
Respondent-State.

**CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**

DATE: AUGUST 7, 2024

P. C.

1. The above Writ Petition is filed seeking to quash and set aside the impugned order dated 22nd May, 2024 in proceedings No. FLR 112024/6065/FL-3 City/4351 passed by the District Collector (State Excise), Pune, and further permit the Petitioner to resume the business in accordance with FL-III Licence No.2796. Despite this relief, the learned Counsel appearing on behalf of the Petitioner submitted that after the passing of the impugned order suspending the liquor license of the Petitioner indefinitely, a show cause notice has been issued to the Petitioner dated 28th May, 2024. A

hearing on the show cause notice has also been held by the District Collector on 5th June, 2024.

2. The grievance made by the Petitioner is that under no circumstances can the license of the Petitioner be suspended indefinitely and the authorities ought to pass an order in relation to the Petitioner's case in which a hearing took place on 5th June, 2024. According to the learned Counsel appearing on behalf of the Petitioner, the violations alleged for suspending the license are all compoundable and do not warrant a suspension. He therefore submitted that the suspension order (in the present case the impugned order) be stayed till an order is passed by Respondent No.1 in the case of the Petitioner.

3. We have heard the learned Counsel for the Petitioner at some length. We are not inclined to stay the suspension order because we are inclined to direct Respondent No.1 to pass its order in relation to the hearing held by him on 5th June, 2024 (in the Petitioner's case) within a period of two weeks from today. Once this is the case, we do not think that the suspension order ought to be stayed because on the passing of the order by Respondent No.1, the impugned suspension order will automatically come to an end, unless some punishment is imposed on the alleged offences.

4. In these circumstances, we dispose of this Writ Petition by directing Respondent No.1 to pass an order in relation to the hearing held by him on 5th June, 2024 in proceedings No. FLR 112024/6065/FL-City/4351 as expeditiously as possible, and in any event, within a period of two weeks from today. Needless to add that we have not opined on the merits of the matter which shall be decided by Respondent No.1 whilst passing its order.

5. Writ Petition is accordingly disposed of. However, there shall be no order as to costs.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]