

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

WRIT PETITION NO. 11102 OF 2024

Trios of Taste Buds (Elephant) P. Ltd.,

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Adv. Prathamesh Bhargude with Mr. Vinayak Pandit, Adv. Maitryee Garade, Adv. Sharmila Vasave and Sharad Dhore, for the Petitioner.

Mr. A. I. Patel, Addl. G. P. with Mr. M. M. Pable, 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 a direction to Respondent No.3 to forthwith pass an order in relation to the hearing held by him on 5th June, 2024 in relation to FLR 112024/6864/FL-3 City/4359, Pune. By Orders dated 24th May, 2024 and 28th May, 2024, Respondent No.3 has suspended the liquor license granted to the Petitioner indefinitely.

2. The grievance made by the Petitioner is that under no circumstances can the license 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.

3. The learned Advocate submitted that in the facts of the Petitioner's case, the violations alleged are all compoundable and do not warrant suspension of the license. He therefore, submitted that the suspension orders ought to be stayed till the order is passed by Respondent No.3 in the case of the Petitioner.

4. 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.3 to pass its order in relation to the hearing held by him on 5th June, 2024 (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.3, the suspension order will automatically come to an end, unless some punishment is imposed for the alleged offences.

5. In these circumstances, we dispose of this Writ Petition by directing Respondent No.2 to pass order in relation to the hearing held by him on 5th June, 2024 in relation to FLR 112024/6864/FL-3 City/4359, Pune

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.3 whilst passing its order.

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

7. 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.]