

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1125 OF 2024

Riyaz Ismail Machhiwala & Anr.

.. Petitioners

Versus

The State of Maharashtra & Anr.

.. Respondents

ASHVINI
BAPPASAHEB
KAKDE

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Mr. Pravin Samdani, Sr. Advocate, Mr. Viraj Maniar and Ms. Sneha Patil
i/b. Maniar Srivastava Advocates for the Petitioner.

Ms. Prachi Tatake, AGP for Respondent/State.

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

DATE: JULY 24, 2024

P. C.

1. At least *prima facie*, we find that the facts in the above matter are squarely covered by the judgment passed by this Court in the cases of (i) **Salim Alimahomed Porbanderwalla & Anr. v. The State of Maharashtra & Anr.** [Writ Petition No.4849 of 2022 decided on 30th March 2023]; (ii) **Modern Paints vs. The State of Maharashtra & Anr.** [Writ Petition (L) No.2091 of 2023 decided on 9th August 2023]; (iii) **Jemini Pradip Salot & Ors. vs. The State of Maharashtra & Anr.** [Writ Petition (L) No.20587 of 2023 decided on 9th August 2023]; and (iv) **Jaihind Oil Mills Company Vs. The Additional Collector and Competent Authority, ULC & Anr.** [Writ Petition No.641 of

2024 decided on 5th July 2024]. Despite this, the learned AGP stated that since the matter is coming for the first time, a week's time is required to take instructions in the above matter.

2. Acceding to her request, we place the above matter under the same caption on 31st July 2024. If the Respondent State wants to file any Affidavit, it shall do so by the next date and serve a copy on the Advocate for the Petitioner, failing which we will proceed on the basis that the State has nothing to state on facts in the above matter.

3. Stand over to 31st July 2024.

4. 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.]