



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition (WP) No. 6533 of 2024

New Kadam Bar and Restaurant through its Partner, Anand S/o Ravindra
Palanadurkar

Versus

State of Maharashtra, through Secretary, State Excise Department,
Mumbai and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri H.A.Khedikar, Advocate for the petitioner.

CORAM : N.R.BORKAR, J.

DATED : 12th NOVEMBER, 2024.

The learned counsel for the petitioner seeks
leave to amend the prayer clause. Leave is granted.

Necessary amendment shall be carried out forthwith.

2. This petition takes exception to the order
dated 9th October, 2024 passed by the respondent No.1-
State Government.

3. By the order dated 16th September, 2020,
the respondent No.3 – the Commissioner State Excise,
allowed the appeal filed by the petitioner against the
order of respondent No.4 – the Collector, Nagpur, by

which the application filed by the petitioner for grant of FL-III license was rejected.

4. The learned counsel for the petitioner submits that after two years of passing the order by respondent No.3, respondent No.6 herein had filed the revision before the respondent No.1 and by the order impugned the respondent No.1 has allowed the said revision. It is submitted that the respondent No.1 has passed the order only on the basis of surmises and conjectures. It is submitted that due to the impugned order the business of the petitioner came to stand still.

5. I have perused the impugned order, *prima facie*, there appears to be substance in the submission of the learned counsel for the petitioner.

6. Issue notice to the respondents, returnable on *5th December, 2024*.

7. Ms. Prachi Joshi, learned Assistant Government Pleader waives service of notice on behalf of the respondent Nos. 1 to 5/State.

8. Till next date, there shall be *ad-interim* relief in terms of prayer clause (h).

[N.R.BORKAR, J.]