



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

23 WRIT PETITION NO. 2319 OF 2025

N.v. Enterprises Through Its Partner Mrs Sapna Neil D Souza

VERSUS

The Collector Maharashtra State Excise Department And Others

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Mr. Jayant Ramanlal Shah, Advocate for the Petitioner.

Mr. K. S. Patil, AGP for Respondent-State.

Mr. Chandrakant A. Jadhav Advocate for Respondent No.4.

Mr. A. D. Sonkawade for Respondent No.5.

CORAM : KISHORE C. SANT, J.

DATE : 3rd MARCH 2025

PC :-

1. Heard the learned Advocate for the parties.
2. A challenge in this petition is to an order dated 6th February 2025 passed by the learned Collector, Chhatrapati Sambhajinagar directing the petitioner to transfer the liquor shop to some other place and till the shop is transferred, he is directed the same to be closed down by exercising power under Section 142 of the Maharashtra Prohibition Act. This Court has already taken a view that, no such directions can be issued by the Collector for closing down the shop for indefinite period by

exercising power under Section 142 of the said Act.

3. Considering above position, the impugned order dated 6th February 2025 passed by the learned Collector, Chhatrapati Sambhajnagar is quashed and set aside.

4. Petition is allowed in terms of prayer clause (B). No order as to costs.

5. This order shall not come in way of deciding complaint filed by respondent No.4 and 5 with the authorities.

[KISHORE C. SANT, J.]