

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 128 OF 2019

Smt. Sujata Shamrao Desai & Anr. ... Petitioners

Versus

The Chief Secretary,

The State of Maharashtra & Ors. ... Respondents

Mr. Tejas Hilage for the Petitioners.

Ms. T.J. Kapre, A.G.P. for the Respondent-State.

Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.

Date : 13th November 2025.

P. C. :

1. Heard Mr. Hilage, learned counsel for the Petitioners and Ms. Kapre, learned A.G.P. for the Respondent-State.
2. By an order dated 28th June 2024, the Division Bench of this Court passed the following order :

“Learned Addl. Government Pleader has tendered the order dated 13th October, 2017 passed by the Deputy Commissioner (Inspection), Office of Commissioner, State Excise. The said

order is taken on record. The copy of the said order has been furnished to the learned counsel for the petitioners, who may receive instructions and file an appropriate Interim Application seeking amendment of the PIL petition for challenging the said order dated 13th October, 2017, if the petitioners so advised.”

3. Learned counsel for the Petitioners submits that he has not received any instructions from the Petitioners pursuant to the order dated 28th June 2024. Since the order dated 13th October 2017 is not challenged, despite specific directions of this Court, we dispose of the present PIL Petition by reserving the liberty of the Petitioners to apply for restoration or filing a fresh PIL Petition challenging the order dated 13th October 2017.

4. We make it clear that we have not examined any of the contentions on merits.

5. On account of the learned counsel for the Petitioners difficulty in receiving instructions and keeping the liberty open for filing the interim application as directed by this Court, the PIL Petition is disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]

OMKAR
SHIVAHAR
KUMBHAKARN
Digitally signed
by OMKAR
SHIVAHAR
KUMBHAKARN
Date:
2025.11.14
09:59:46 +0530