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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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WRIT PETITION NO.1458 OF 2025

M/s.Gangamai Industries & Construction Pvt. Ltd. ...Petitioner

V/s.

The State of Maharashtra & Ors.

...Respondents

Mr.Vinayak Salokhe with Ms.Megha Jain for the Petitioner.

Mr.Kedar Dighe, Addl.GP with Mrs.M.S. Bane, AGP for the
Respondent – State.

CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 18TH SEPTEMBER, 2025.

P.C. :-

1. Heard the learned counsel appearing for the parties.
2. As far as prayer clause (a) is concerned, which challenges the rules regulating the possession, use, sale, import, export, transport, dehydration, storage and manufacture of the denatured spirit after its denaturation be held *ultra-vires* and unconstitutional, the same does not survive in view of the order

passed by this Court on 19th October, 2023 in Civil Writ Petition No.12704 of 2023 declaring Rules 23 to 62 of the Bombay Denatured Spirit Rules to be *ultra-vires* and unconstitutional.

3. As far as prayer clauses (b) and (c) are concerned, the same read thus :-

“(b). The Hon’ble Court be pleased to hold that the Petitioner do not requires any licence under Bombay Prohibition Act for sale, purchase, transport, possession, storage, dehydration, manufacture, import, export of the denatured spirit under the Bombay Prohibition Act.

“(c). this Hon’ble Court be pleased to restrained the officers, their agents, servants, employee or anybody claiming through them from prosecuting the Petitioner for not holding license under the Bombay Denatured Spirit Rules, 1959.”

4. Learned Addl.GP on instructions states that since as of today, no rules exists, the question of asking the Petitioner for a license under Bombay Prohibition Act for sale, purchase, transport, possession, storage, dehydration, manufacture, import, export of the denatured spirit under under the Bombay Prohibition Act does not survive.

5. Learned Addl.GP further submits that in view of the aforesaid, the question of restraining the Petitioner's officers / agents, servants, employee and consequential prosecution of the Petitioner for not holding license under the Bombay Denatured Spirit Rules, will not survive. Learned Addl.GP states that since as of today, there are no fresh rules that have come into force and as such till such time fresh rules come into force, neither any license will be insisted upon nor will any prosecution be initiated against the Petitioner. Statement accepted.

6. In view of the aforesaid statements made by the learned Addl.GP nothing survives for further consideration in the Petition. The Petition stands disposed of.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)