

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO.65 OF 2025

Gopal Lalji Bhanushali

....Petitioner

Versus

The State of Maharashtra & Ors.

....Respondents

Mr. Sagar Joshi *for the Petitioner.*

Ms. Apurva Thipsay, AGP *for Respondent Nos.1 and 3/State.*

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE : 17 JUNE 2025.

ORDER *(Per : Sandeep V. Marne, J.) :*

1. The Petitioner has filed the present Petition styled as Public Interest Litigation seeking a direction against Respondent Nos.1 to 3 to stop operation of illegal liquor shops and liquor Bars in M.I.D.C., Wagale Industrial Area, (I.T. Zone), Thane.

2. According to the Petitioner, while allotting of the concerned plots of land/premises a specific condition has been imposed to use the plots/premises only for the activity for which the same are allotted and that there is express prohibition from operating liquor shops or liquor Bars on such allotted plots/premises. It is the

complaint of the Petitioner that Respondent Nos.4 to 13 are illegally operating liquor shops/liquor Bars in violation of conditions of allotment of plots/premises. Considering the nature of order that we proposed to pass, it is not considered necessary to issue notices to Respondent Nos.4 to 13.

3. Mr. Joshi, the learned counsel appearing for Petitioner would invite our attention to complaint dated 18 June 2024 made by the Petitioner to MIDC bringing to its notice operation of unauthorized liquor shops/liquor Bars on plots/premises allotted by MIDC. He would submit that after receipt of Petitioner's complaint, MIDC has issued notices to the concerned persons calling them upon not to use the plots/premises for purposes other than the one for which the allotment is made. Mr. Joshi would however submit that despite issuance of notices dated 20 August 2024 by MIDC, Respondent Nos.4 to 13 continue to use the premises/plots unauthorizedly for operating liquor shops/liquor Bars. Petitioner has therefore submitted another complaint dated 17 October 2024 which has remained pending.

4. In our view, this Court is not equipped to undertake an inquiry into actual use of plots/premises by Respondent Nos.4 to 13. It is for Respondent-MIDC to take cognizance of Petitioner's pending complaint dated 17 October 2024 and take an appropriate decision thereon after hearing all concerned parties.

5. The Petition is accordingly disposed of by directing Respondent No.2-MIDC to decide Petitioner's representation dated 17 October 2024 after granting due opportunity of hearing to Respondent Nos.4 to 13 or to any other affected party. We express no opinion on correctness of allegations raised by the Petitioner and all contentions of the parties are expressly kept open. If MIDC notices that any entity has been unauthorizedly using the plots/premises for unauthorized operation of liquor shops/liquor Bars, the MIDC shall forthwith take action for stoppage of such use. The Respondent-MIDC shall complete the process of deciding the Petitioner's representation dated 17 October 2024 after grant of opportunity of hearing as directed above, within a period of three months.

6. With the above directions, the Petition is **disposed of**.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)

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by
SUDARSHAN
RAJALINGAM
KATKAM
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