



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO. 2925 OF 2026

KARTIK KISHOR KAMDAR

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY AND
OTHERS**

...

Mr. V. S. Undre, Advocate for the Petitioner

Mr. R. S. Wani, AGP for Respondent Nos.1 to 4

...

**CORAM : SMT. VIBHA KANKANWADI AND
AJIT B. KADETHANKAR, JJ.**

DATE : 21.04.2026

PER COURT :-

. Present petition has been filed to challenge the communication/order bearing No.FLR/2025/4118/3 dated 19.11.2025 passed by the Superintendent of State Excise, Latur with the approval of the Collector, Latur.

2. Learned AGP waives notice for all the respondents and take preliminary objection for the maintainability of the writ petition in view of the fact that there is an alternate remedy under Section 137 of the Maharashtra Prohibition Act.

3. Section 137(2) of the Maharashtra Prohibition Act prohibits that all orders passed by the Collector are appealable to the Commissioner within 90 days from the date of the order complained of. After the learned AGP pointed out the provision, the learned Advocate for the petitioner seeks

withdrawal of the petition to approach the Commissioner.

4. We dispose of the Writ Petition as withdrawn with liberty to approach respondent No.2 under Section 137 of the Maharashtra Prohibition Act. Further, we may observe that respondent No.2 should consider the pendency of the present petition before this Court in case the point in respect of limitation arises in the matter.

(AJIT B. KADETHANKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

PRW