

# **M/S. N.S. Enterprises Thr.Its Prop.Mr. ... vs The State Of Maharashtra Thr. Principal ... on 8 January, 2020**

**Bench: K.K. Tated, Sarang Vijaykumar Kotwal**

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

WRIT PETITION NO. 13847 OF 2017

Athani Sugar Ltd. Through Its Execution	....Petitioner
Director Shri, Yogesh Patil	
V/S	
The State Of Maharashtra Through Principal	....Respondent

Secretary Home (state Excise) Dept. And Ors.

WITH WRIT PETITION NO. 13544 OF 2017 M/s. Embio Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 3632 OF 2018 The Distillers Association Of Maharashtra And ....Petitioner Ors.

V/S The State Of Maharashtra , Through Its Principal ....Respondent Secretary And Anr.

WITH WRIT PETITION NO. 3616 OF 2018 M/s. Shriram Sahakari Sakhar Karkhana Ltd. ....Petitioner V/S The State Of Maharashtra, Through Its Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12934 OF 2017 M/s. Deccan Overseas Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra , Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12936 OF 2017 M/s. Dalma Bharat Sugar And Industries Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary, Home (state Excise) Dept. And Ors.

WITH WRIT PETITION NO. 13105 OF 2017 M/s. Bhima S.s.k. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13107 OF 2017 M/s. Shri Makai Sahakari Sakhar Karkhana Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13108 OF 2017 M/s. Vijaynagar Sugar Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12677 OF 2017 M/s. Brima Sagar Maharashtra Distilleries Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12678 OF 2017 The Distillers Association Of Maharashtra And ....Petitioner Ors.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12679 OF 2017 M/s. Loknete Baburao Patil Agro Industries Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12680 OF 2017 M/s. Khandoba Distilleries Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12681 OF 2017 M/s. Vithalrao Shinde S.s.k. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12682 OF 2017 The Distillers Association Of Maharashtra And ....Petitioner Ors.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12693 OF 2017 M/s. Fabtech Sugar Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12204 OF 2017 M/s. Baramati Agro Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12205 OF 2017 M/s. Deshbhakta Ratnapanna Kumbhar ....Petitioner Panchganga Ssk Ltd.

V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12211 OF 2017 M/s. Kolhapur Sagar Mills Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12213 OF 2017 M/s. Laxmi Organic Industries Ltd. ....Petitioner V/S The State Of Maharashtra, Through The Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13392 OF 2017 Shrigurumurti Exports Pvt Ltd. Through Its ....Petitioner Managing Direstor Shri. Prasad Uttamrao Patil V/S The State Of Maharashtra Through Principal ....Respondent Secretary, Home Dept. And Ors.

WITH WRIT PETITION NO. 12198 OF 2017 M/s. Sagar Industries Distilleries Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12202 OF 2017 M/s. Aurangabad Distillery Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12399 OF 2017 M/s. Indreshwar Sugar Mills Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12400 OF 2017 M/s. Shreenath Mhaskoba Sakhar Karkhana Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12421 OF 2017 M/s. Karmayogi Shankarrao Patil S.s.k. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 12398 OF 2017 M/s. Nira Bhima Sahakari Sakhar Karkhana Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13729 OF 2017 M/s. Imcola (exports) Ltd. ....Petitioner V/S The State Of Maharashtra , Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13730 OF 2017 M/s. Chandrashekhar Exports Private Limited ....Petitioner V/S The State Of Maharashtra , Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13731 OF 2017 M/s. Godavari Biorefineries ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Anr WITH WRIT PETITION NO. 13732 OF 2017 M/s. Manganga S.s.k. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary Home (state Excise) Dept. And Ors.

WITH WRIT PETITION NO. 13720 OF 2017 M/s. Daund Sugar Pvt. Ltd., Through Its ....Petitioner Distillery Manager V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13721 OF 2017 M/s. Shri Ambalika Sugar Pvt. Ltd. Through Its ....Petitioner Distillery Manager V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 426 OF 2018 M/s. Shree Renuka Sugars Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 427 OF 2018 M/s. Shree Renuka Sugars Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 433 OF 2018 M/s. Bhairavnath Sugar Works Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 429 OF 2018 M/s. Nsl Krishnaveni Sugars Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Anr WITH WRIT PETITION NO. 428 OF 2018 M/s. Shree Renuka Sugars Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Anr.

WITH WRIT PETITION NO. 432 OF 2018 M/s. Sun Impex Export & Import ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 431 OF 2018 M/s. Sharayu Agro Industries Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 14042 OF 2017 M/s. Betul Oil Ltd. ....Petitioner V/S The State Of Mahashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 14047 OF 2017 M/s. Laxmi Feeds & Foods ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 14055 OF 2017 Shri. Padmavati Agro Industries Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Through The Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 14056 OF 2017 M/s. Godrej Agrovvet Ltd. ....Petitioner V/S The State Of Maharashtra Through The Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 14057 OF 2017 M/s. R.m. Cattle Feed Industries ....Petitioner V/S The State Of Maharashtra Through The Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13908 OF 2017 M/s. Ss Distrilleries Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra, Through Its Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13906 OF 2017 M/s. Shri. Vidhnahar S.s.k Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary, And Ors.

WITH WRIT PETITION NO. 1257 OF 2018 M/s. Hermes Distillery Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Anr.

WITH WRIT PETITION NO. 1258 OF 2018 M/s. Appasaheb Nalawade Gadhinglaj Taluka ....Petitioner Sahakari Sakhar Karkhana Ltd.

V/S The State Of Maharashtra , Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 1061 OF 2018 M/s. John Distilleries Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary ,and Ors.

WITH WRIT PETITION NO. 1832 OF 2018 M/s. Ab Mauri India Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra , Through Its Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 1833 OF 2018 M/s. Shree Renuka Sugar Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 466 OF 2018 M/s. E.i.d. Parry (india) Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary, And Anr WITH WRIT PETITION NO. 2318 OF 2018 M/s. Jakraya Sugar Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary, And Ors.

WITH WRIT PETITION NO. 2317 OF 2018 M/s. Shivamrut Doodh Utpadak Sahakari Sangh ....Petitioner Ltd.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 2445 OF 2018 Kn Resources Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra , Through Its Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 430 OF 2018 M/s. Vijaynagar Sugar Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 2360 OF 2018 M/s. N.s. Enterprises Thr.its Prop.mr. Nitin ....Petitioner Shivajirao Shinde V/S The State Of Maharashtra Thr. Principal ....Respondent Secretary And Ors WITH WRIT PETITION NO. 3617 OF 2018 M/s. Kothari Sugars And Chemicals Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Anr.

WITH WRIT PETITION NO. 4254 OF 2018 M/s. Indian Sugar Manufacturing Co. Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Anr.

WITH WRIT PETITION NO. 4255 OF 2018 M/s. Calgara Worldwide Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra, Through Principal ....Respondent Secretary And Anr.

WITH WRIT PETITION NO. 4238 OF 2018 M/s. Shri Saikrupa Sugar And Allied Industries ....Petitioner Ltd.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 13386 OF 2018 M/s Aurangabad Distillery Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Thru Principal ....Respondent Secretary, Home ( State Excise ) Dept. And

Ors WITH WRIT PETITION NO. 4880 OF 2018 M/s. Oaisis Alcohol Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 4881 OF 2018 M/s. Kamdhenu Agrovet Thorough Its Partner ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 4882 OF 2018 M/s. Kamdhenu Agrovet Thorough Its Proprietor ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 4616 OF 2018 M/s. Kisan Agro Through Its Partner ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 3166 OF 2018 Kolhapur Zilla Sahakari Dudh Utpadak Sangh ....Petitioner Ltd.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 782 OF 2018 Baramati Taluka Sahakari Doodh Utpadak Sangh ....Petitioner Maryadit, Through Its Authorised Representative V/S The State Of Maharashtra And Ors. ....Respondent WITH WRIT PETITION NO. 7722 OF 2018 M/s. Shamanur Sugars Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Anr.

WITH WRIT PETITION NO. 6432 OF 2018 M/s. Ravindra And Company Ltd. ....Petitioner V/S The State Of Maharashtra And Ors. ....Respondent WITH WRIT PETITION NO. 9495 OF 2018 M/s. Shree Warna Sahakari Dudh Utpadak ....Petitioner Prakriya Sangh Ltd.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 11280 OF 2018 M/s. New Phaltan Sugar Works Distilleries Div. ....Petitioner Ltd.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 11281 OF 2018 M/s Krantigrani Dr. G. D. Babu Lad Sahakari ....Petitioner Sakhar Karkhant Ltd.

V/S The State Of Maharashtra Thru Principal ....Respondent Secretary, Home ( State Excise) Dept. And Ors WITH WRIT PETITION NO. 11279 OF 2018 M/s Som Distilleries Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Thru Principal ....Respondent Secretary, Home( State Excise) Dept. And Anr WITH WRIT PETITION NO. 10858 OF 2018 M/s Rajmata Industries Thru Partner, Mr. Ashok ....Petitioner Damodar Survase V/S The State Of Maharashtra Thru Principal ....Respondent Secretary, Home (state Excise) Dept. And Ors WITH WRIT PETITION NO. 4843 OF 2018 M/s. Godavari Biorefineries Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal ....Respondent Secretary, And Anr WITH WRIT PETITION NO. 5459 OF 2018 M/s. Jakraya Sugar

Ltd. ....Petitioner V/S The State Of Maharashtra Through Principal Sec., ....Respondent WITH WRIT PETITION NO. 405 OF 2019 M/s. Venkateshwara Power Project Ltd. ....Petitioner (distillery Div.) V/S The State Of Maharashtra Thru Prin. Secretary, ....Respondent Home ( State Excise) Dept. And Anr WITH WRIT PETITION NO. 14601 OF 2018 M/s. Integrated Service Point Pvt. Ltd. ....Petitioner V/S The State Of Maharashtra Through Its Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 2163 OF 2018 Solapur Zillah Dudh Utpadak Va Prikriya Sangh ....Petitioner Cattle Feed Manufacturing Unit Through Its A.s.

V/S The State Of Maharashtra Through Principal ....Respondent Secretary And Ors.

WITH WRIT PETITION NO. 2961 OF 2018 Jai Hind Feeds Through Mr. M.k. Jamdar, ....Petitioner V/S The State Of Maharashtra Through Principal Secretary, And Ors.

CORAM : K.K. TATED & SARANG VIJAYKUMAR KOTWAL, JJ DATE : 8th January, 2020 P.C. :

Due to paucity of time the matter is adjourned to 12/02/2020 . In case any ad-interim/interim relief is operating till today, the said order will continue to operate till the next date. If ad-interim/interim relief is not granted for a limited period, the said order will remain unaffected.

( FOR REGISTRAR JUDICIAL - I ) ....Respondent