



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2434 OF 2026

Pushpa Devidaspant Dhole Vs. State of Maharashtra and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.P. Bodalkar, Advocate for the Petitioner.
Ms. S.N. Thakur, AGP for the Respondent Nos.1 to 4/State.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 26th MARCH, 2026

1. Although learned AGP for the respondents/State seeks time to file affidavit in reply on record, learned counsel for the petitioner insists for grant of interim relief by pointing out that the period of suspension of fifteen days will expire soon.

2. Learned counsel for the petitioner pointed out that the alleged irregularities as mentioned in the impugned order are not sufficient to impose the penalty of suspension and that the charges are in-fact compoundable under Section 104 of the Maharashtra Prohibition Act, 1949 (for short "the Act"). He further submits that the petitioner has filed an Appeal under Section 137 of the Act, before the respondent No.4 - Commissioner for State Excise, Maharashtra State, Mumbai, however, the appeal could be taken up for consideration on account of Assembly Session being in progress and the appeal has been adjourned to the second week of April, 2026. He therefore submits that in view of the grounds raised, particularly the

fact that the alleged irregularities are compoundable in nature, the order of suspension for fifteen days is grossly disproportionate.

3. On perusal of record, it appears that the petitioner has submitted an explanation to the alleged irregularities.

4. Learned counsel for the petitioner has also placed on record the judgment of the Coordinate Bench of this Court in the matter *Writ Petition No.1087/2018 Dilip Sitaram Kale Vs. The State of Maharashtra through the Principal Secretary and Ors.*, decided on *01.11.2018* and submits that in view of the charges being compoundable in nature, the order of suspension for fifteen days is grossly disproportionate.

5. The contentions canvassed on behalf of the petitioner *prima-facie* appear to have merit and substance and therefore, the order dated 18.03.2026 passed by respondent No.2 – The District Collector (State Excise), Amravati, shall remain stayed till next date.

6. In view of above, list the petition on **15.04.2026**.

(PRAFULLA S. KHUBALKAR, J.)

Privel