



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 103629 OF 2025 (EXCISE)

BETWEEN:

SHRI VISHAL S/O SHRIKANT KALAL,
AGE. 34 YEARS, OCC. BUSINESS,
R/O. M.M. EXTENSION, BELAGAVI.

... PETITIONER

(BY SRI. SANGRAM.S.KULKARNI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY ITS UNDER SECRETARY,
FINANCE DEPARTMENT (EXCISE),
VIDHANA SOUDHA,
BENGALURU-560 001.
2. EXCISE COMMISSIONER,
BENGALURU, TTMC, SHANTINAGAR,
BENGALURU-560 027.
3. DEPUTY COMMISSIONER OF EXCISE,
BELAGAVI (SOUTH)/DHARWAD,
DIST. BELAGAVI-590 001.
4. DEPUTY COMMISSIONER OF EXCISE,
DHARWAD-580 025.

... RESPONDENTS

(BY SMT. NANDINI.B.SOMAPUR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.



THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Sangram S.Kulkarni., counsel for the petitioner and Smt.Nandini B.Somapur., AGA for respondents 1 to 4 have appeared in person.

2. The petition is filed seeking following reliefs:

"(1) issue a writ of mandamus directing the respondent to consider the representation dated 15/4/2024 given by the petitioner vide Annexure-B.

(2) issue any other writ, order or direction to which the petitioner is found entitled to in the present facts and circumstances.

ADDITIONAL PRAYER

*(3) issue a writ of certiorari and quash the impugned order dated 9/6/2025 passed by the Dy. Commissioner of Excise, Dharwad Distirct, Dharwad vide **Annexure-D.***

*(4) issue a direction to the respondents to pass an order to shift the business of the petitioner from Dharwad to Nooli village at the address shown in **Annexure-C.**"*

3. Counsel for the respective parties urged several contentions. Heard the arguments and perused the papers with care.



4. As is evident from the order of the Hon'ble Supreme Court, no time frame has been fixed for shifting. Hence, in light of the said order, the rejection of the petitioner's request is untenable. Accordingly, Annexure-D is liable to be quashed.

5. A writ of certiorari is issued. The order dated 09.06.2025 passed by the Deputy Commissioner of Excise, Dharwad District, Dharwad, vide Annexure-D, is hereby quashed. Respondent Nos. 3 and 4 are directed to consider the petitioner's request for shifting the CL-2 licence from Dharwad to Survey No. 579, Hissa No. 1, of Nooli Village, Dharwad, in accordance with law, within a period of four weeks from the date of receipt of a certified copy of this order.

6. With the above observations, the writ petition stands ***disposed of.***

**Sd/-
(JYOTI M)
JUDGE**

MRP
LIST NO.: 1 SL NO.: 72