

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6264/2026

Mustak Ali Kalal, S/o. Rehmat Din

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Sandeep Pathak with
Mr. Amit Malani

For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN

Order

07/04/2026

Learned counsel for the petitioner has submitted that since the year 2024-25, the petitioner has been operating the shop *qua* retail liquor sale after taking requisite licenses and approvals from the respondent No.3 as per the provisions enshrined under the Rajasthan Excise Rules, 1956. It is submitted that the petitioner is operating the shop at the same location since last three years and has applied for renewal on the basis of instructions dated 13.02.2026 (Annexure-5) issued by respondent No.2. It is next submitted that it came into knowledge of the petitioner that one Bhairav Wines, who was operating approximately 2 kilometers away from the shop of the petitioner has applied for transfer of shop to new location which is adjacent to the shop of the petitioner. In apprehension of said transfer/re-location being issued by the respondent authority in favor of Bhairav Wines, the petitioner immediately filed a representation. Learned counsel has relied upon the instructions dated 13.02.2026 issued by respondent

No.2 (Annexure-5), whereby as per the orders of the Commissioner dated 13.02.2026, re-location of shop in new area is prohibited. It is further submitted that on the same lines in order dated 05.04.2026 was also passed by Commissioner of State Excise. It is lastly submitted that the shifting of Bhairav Wines [Shop No.4 Ward No.26(G), 27(G), 35(G)] adjacent to shop of the petitioner [Shop No.1 Ward No.26(G), 27(G), 35 (G)] is contrary to the instructions dated 13.02.2026.

Having heard the arguments advanced by learned counsel for the petitioner, this Court is of the view that the matter at hand requires consideration.

Issue notice to the respondents, returnable within three weeks.

List the matter on 05.05.2026.

In the meantime, *status quo* shall be maintained *qua* the petitioner.

(SAMEER JAIN),J