

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15870/2025

Romi Samriya, W/o. Praveen Kumar Samriya

-----Petitioner

Versus

The State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. R. N. Mathur, Sr. Advocate assisted by Mr. Abhishek, Ms. Sakshi Sharma
For Respondent(s)	:	Mr. R. B. Mathur, Sr. Advocate assisted by Mr. Falak Mathur Mr. Kapil Prakash Mathur, AAG

HON'BLE MR. JUSTICE SANJEET PUROHIT
Order

16/10/2025

1. Learned Senior Counsel appearing on behalf of the petitioner submits that a composite Liquor Shop No.03 at Ward Nos.126 & 127 Greater was allotted to the petitioner and same has also been renewed from time to time.
2. Learned counsel for the petitioner submits that without issuance of any show cause notice or giving any opportunity of hearing though titled as notice - order dated 09.10.2025 has been issued whereby specific direction has been issued to the petitioner to shift or change the location of his shop immediately.
3. Learned counsel for the petitioner has relied upon an order dated 27.05.2025 passed by a coordinate Bench of this Court in the case of ***Dashrat Singh Rajpoot Vs. State of Rajasthan & Ors.: S. B. Civil Writ Petition No.8258/2025*** wherein interim relief has been granted in favour of petitioner.
4. Matter requires consideration.

5. Issue notice of the writ petition as also of stay application to the respondents.

Additional Advocate General, Mr. Kapil Prakash Mathur, representing the Excise Department, accepts notices.

6. In the meanwhile, effect and operation of the impugned order dated 09.10.2025 shall remain stayed.

7. Respondents are at liberty to move appropriate application for modification / vacation of interim order.

8. An application (I. A. No. 1/2025) under Order 1 Rule 10 CPC has been filed on behalf of applicant - Mr. Dinesh Sharma, seeking impleadment on the ground that he is also running a liquor shop nearby the shop of present petitioner and on earlier occasion, he has filed the writ petition being S.B. Civil Writ Petition No.9829/2025 before this Court challenging existence of shop run by the petitioner. It is also submitted that as a matter of fact, on his complaint, the order impugned has been passed.

9. It is well settled position of law that the complainant is neither a necessary nor proper party. However, looking to the competitive interest involved herein, learned counsel for the petitioner has no objection if the complainant is impleaded as Intervenor. Therefore, the applicant - Mr. Dinesh Sharma is allowed to be impleaded as Intervenor in the present case.

10. Accordingly, the application (I. A. No.1/2025) under Order 1 Rule 10 CPC stands disposed of.

11. Put up on 11.11.2025.

(SANJEET PUROHIT),J