

SLP(C)... 3103 OF 2001

ITEM No.22

Court No. 3

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal(Civil)...../2001  
(CC:3103)  
(From the judgement and order dated 09/08/2000 in WP 3753/2000  
of The HIGH COURT OF BOMBAY)

GOVERNMENT OF MAHARASHTRA & ORS. Petitioner (s)

VERSUS

M/S. BELLOI DISTILLERY Respondent (s)

( With I.A. No.1 )  
( With Appln(s). for c/delay in filing SLP )  
( With Office Report )

Date : 08/05/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. S.V. Deshpande, adv.

For Respondent (s)

UPON hearing counsel the Court made the following  
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....J  
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Delay condoned.

The point raised in this matter is actually covered by a two judge bench of this court in Polychem Ltd. and Anr. vs. State of Maharashtra, 1998 (6) SCC P-196. As per that judgment the two judge bench has approved the decision of a Division Bench of the Bombay High Court in J.E. Billimoria & Sons vs. State of Maharashtra, 1990 (2) Bombay ...2/-

: 2 :

C.R. 108. Mr. Soli J. Sorabjee, AG submitted that the said decision of the Division Bench of the Bombay High Court has since been overruled by a Full Bench of the Bombay High Court. (It is reported in 1993 Maharashtra Law Journal, 13). Learned AG also pointed out that due to some mistake the said decision of the Full Bench has not been brought to

the notice of this Court while hearing arguments in Polychem  
Ltd. vs. State of Maharashtra (supra).

Issue notice.

Tag with SLP(C) No.....2001 (CC:830/2001)

.SP1

(Neena Verma)  
Court Master

(H.K. Bhatia)  
Court Master