

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 23 of 2024**

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DAMAN WINE MERCHANT ASSOCIATION THROUGH PRESIDENT
Versus
THE STATE OF GUJARAT & ORS.

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Appearance:

MR. DHRUVIN U MEHTA(9993) for the Applicant(s) No. 1
MR KRUTIK PARIKH, AGP for the Opponent(s) No. 1,2,3,4,5,6

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL
and
HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**

Date : 19/03/2024

**ORAL ORDER
(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)**

1. Present petition has been filed in the name of an Association named as Daman Wine Merchant Association. In none of the paragraphs of the writ petition it is stated that the petitioner Association is a registered body nor copy of the registration has been placed on record. The only Resolution dated 26.12.2023 stating the alleged President of the Association to institute the present writ petition has been appended to Annexure-A to the writ petition.
2. The prayer made in the writ petition filed in the nature of PIL to issue a blanket ban restraining the respondent authority from taking any coercive measure against the Wine Shop owners (licence holders of Daman), who are implicated in

cases of Gujarat Prohibition Act, 1949. The assertion in the writ petition that by implication of the Wine Shop owners, who are running shops located in the Union Territory of Daman are being harassed by the police authorities in the State of Gujarat.

3. We fail to understand as to why the Wine Shop owners, who are not doing any business in the State of Gujarat would be implicated for selling liquor and the cases under the Gujarat prohibition Act, 1949, would be registered against them. For the above, as also for the fact that the present petition in the nature of PIL has been filed in the name of an Association, whose legal status has not been disclosed in the writ petition, we dismiss the writ petition being misconceived.

(SUNITA AGARWAL, CJ)

(ANIRUDDHA P. MAYEE, J.)

SUDHIR