

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 (C) No(s). 23183/2026

[Arising out of impugned judgment and order dated 23-06-2026 in WP No. 22400/2026 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

SOM DISTILLERIES PVT. LTD.

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ORS.

Respondent(s)

(IA No. 193422/2026 - EXEMPTION FROM FILING O.T. and IA No. 193421/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 15-07-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) : Mr. Mukul Rohatgi, Adv.
Mr. Sumeer Sodhi, AOR
Mr. Kapil Wadhwa, Adv.
Mr. Arjun Nanda, Adv.
Ms. Ravina Rathore, Adv.
Ms. Apoorva Maheshwari, Adv.

For Respondent(s) : Mr. Sridhar Potaraju, A.A.G.
Ms. Mrinal Gopal Elker, AOR
Mr. Srajan Yadav, Adv.

Mr. Vikas Singh, Sr. Adv.
Ms. Shweta Singh Parihar, AOR
Mr. Kshitij Padhi, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. We have heard learned senior counsel on behalf of the petitioner, learned AAG for the State of Madhya Pradesh and another private entity, who sought to oppose the petition.

2. It seems that the petitioner has two types of grievances:

(i) against the order dated 18.06.2026 whereby its application for renewal of various liquor licences was rejected, and

(ii) against the Notice Inviting Tender (NIT) dated 12.06.2026 issued by the Excise Commissioner. The petitioner's grievance seems to be against the tender conditions requiring a valid licence as one of the conditions to be eligible to apply in response to NIT.

3. Both these grievances were raised in a common writ petition bearing No.22400/2026.

4. It further seems that, as per the roster management of the High Court of Madhya Pradesh, tender matters are listed before a Division Bench whereas the matter re: renewal of liquor licences is listed before a Single Bench.

5. Since, in the writ petition, the tender conditions of NIT dated 12.06.2026 were also challenged, the writ petition came up before a Division Bench of the High Court and vide order dated 23.06.2026, the High Court declined to interfere with respect to relief Nos.(i), (ii), (iii) and (iv) of the writ petition primarily on the ground that in the absence of a valid liquor licence, the petitioner is not eligible to apply against the NIT and that its tender came to be rejected on the same date when the matter was heard by the Division Bench. So far as the issue which was to be decided by the learned Single Judge, in terms of paragraph 16 of the impugned order, the learned Division Bench relegated the matter before the Single Judge to decide the relief Nos.(v), (vi) and (vii) of the writ petition.

6. In our considered view, it would have been appropriate for the Division Bench of the High Court to decide all the issues through a composite judgment. This is also necessitated in view of the nature of the reliefs sought by the petitioner. Consequently, we modify paragraph 16 of the impugned order insofar as it relegates the writ petition to a Single Judge regarding relief Nos. (v), (vi) and (vii) of the writ petition. Consequently, we request the Division Bench of the High Court to take up the petitioner's writ petition *qua* these reliefs also and pass appropriate orders after hearing the parties. It will be appreciated if the High Court may pass appropriate orders as early as possible and preferably within two weeks.

7. The petitioner shall be at liberty to amend the writ petition within three days.

8. Since we have not gone into the merits of the case, all the contentions raised on behalf of the parties are left open to be raised before the High Court.

9. The Special Leave Petition is, accordingly, disposed of with pending application(s), if any.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR