

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2942 OF 2015

Shantilal Chandulal Dhotre

.. Petitioner

Versus

The Deputy Commissioner of Police

Solapur, Solapur City and others

.. Respondents

Mrs. Veena Thadani, for the Petitioner.

Shri. S. D. Rayrikar, AGP for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 27th MARCH, 2015

PC.

The cause for invoking the Writ Jurisdiction of this Court under Article 226 and 227 of the Constitution of India is the fact that the stay application filed by the Petitioner has not been considered by the Appellate Authority. The Appeal in question has been filed against the order dated 04.03.2015 passed by the Deputy Commissioner of Police, Solapur, by which order the Petitioner has been informed that his eating house licence would not be renewed on the ground that the Petitioner is carrying out business in an establishment part of which comprises of unauthorized construction. The Learned AGP Shri. S. D. Rayrikar had sought time to take instructions as to within what time the stay

application filed by the Petitioner can be considered. Upon instructions, the Learned AGP Shri. S. D. Rayrikar states that the Appeal filed by the Petitioner would be disposed of within two months. In my view, considering the fact that the application for stay filed by the Petitioner has not been considered. It would be just and proper to direct the Appellate Authority to hear and decide the Appeal in question latest by 08.05.2015. Needless to state that the Appeal would be decided on its own merits and in accordance with law by giving proper opportunity to the parties. Till the decision is rendered in the Appeal, the order dated 04.03.2015 to stand stayed. With the aforesaid directions, the Writ Petition is disposed of.

[R.M. SAVANT, J]