

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

WRIT PETITION NO.838 OF 2015

Gurucharan Singh K Chatta : Petitioner
versus
The State of Maharashtra and ors. : Respondents.

Mr. D B Sawant and Mr. Santosh L Patil for the Petitioner.
Ms. Aparna Vhatkar, AGP for the Respondents/State.

CORAM : R. M. SAVANT, J.
DATE : 30th March 2015

P.C.

1 The order dated 5/1/2015 passed by the Principal Secretary (Appeals and Security) is taken exception to by way of the above Petition.

2 The Appeal has been rejected on the ground that the Petitioner does not have sufficient parking space for the vehicles of the customers. The said order dated 5/1/2015 confirms the order dated 21/09/2014 passed by the Deputy Commissioner of Police, Head Quarters-1, Mumbai by which order the application for PPEL licence filed by the Petitioner came to be rejected.

3 The learned AGP appearing for the Respondents/State Ms. Aparna Vhatkar on the basis of the instructions comprised in the letter bearing outward No.Police Commissioner/Desk-10 (Hotel Branch)/1843/15 dated 28/03/2015 makes a statement that in view of what has been stated in the last

paragraph of the said letter addressed by the Deputy Commissioner, Head Quarters-1, Mumbai, the Licensing Authority is agreeable to re-consider the application for PPEL Licence afresh on the basis of the new material which has come on record through the Executive Engineer, Building Proposals Department, Municipal Corporation of Greater Mumbai. In view of the said statement made by the learned AGP, both the orders i.e. the order dated 5/1/2015 as well as the order dated 21/09/2014 to stand quashed and set aside and the application of the Petitioner for PPEL licence is relegated back to the Licensing Authority for a denovo consideration of the same. The Licensing Authority may consider the said application latest by 30/04/2015. The Petitioner to appear before the Licensing Authority on 8th April 2015 at 3.00 pm. The photocopy of the said letter dated 28/3/2015 is taken on record and marked as "X" for identification. With the aforesaid directions, the above Writ Petition is disposed of.

[R.M.SAVANT, J]