

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

WRIT PETITION (STAMP) NO.8898 OF 2015

Chandrakant M. Shetty

.. Petitioner

Versus

The Commissioner of Police and another

.. Respondents

Mrs. Veena Thadani, for the Petitioner.

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

CORAM : R.M. SAVANT, J.

DATE : 07th APRIL, 2015

PC.

1. The order dated 05.03.2015 passed by the Licensing Authority i.e. The Deputy Commissioner (Head Quarters-I), Mumbai is taken exception to by way of the above Petition.

2. The cause for filing the above Petition is the fact that the Appeal filed by the Petitioner in which an application for stay has been filed is not being considered by the Appellate Authority. The said Appeal has been filed against the order dated 05.03.2015 passed by the Deputy Commissioner (Head Quarters-I), Mumbai, by which order the Petitioner's premises licence is suspended for a period of six months. However, the said order dated 05.03.2015 passed by the Deputy Commissioner (Head

Quarters-I) was stayed for a period of 30 days which period is coming to an end today. The Learned AGP Shri. S. D. Rayrikar on instructions states that the Appeal itself would be decided within 8 weeks from date i.e. on or before 02.06.2015. Statement accepted. In view of the fact that the Petitioner has filed an Appeal which is pending and also considering the fact that the order suspending the Petitioner's premises licence would come to an end today, it would be just and proper to continue the stay granted by the Licensing Authority which is in operation till today till the Appeal is disposed of. In the event the Appeal is decided against the Petitioner, the Petitioner may apply for continuation of the stay, if the Petitioner is desirous of challenging the order passed by the Appellate Authority by filing appropriate proceedings. Any such application would be considered by the Appellate Authority on its own merits and in accordance with law. With the aforesaid directions, the Writ Petition is disposed of.

[R.M. SAVANT, J]