

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12582 OF 2015

Shivkumar Prakashdev Shourie.] ... Petitioner

Versus

1. The Commissioner of Police,]
District – Thane,]
2. The State of Maharashtra.] ... Respondents

Mrs. Veena Thadani for Petitioner.

Ms. Neha Bhide, A.G.P., for Respondent Nos.1 and 2.

CORAM :- M. S. SONAK, J.

DATE :- DECEMBER 16, 2015

P. C. :-

1. **Not on board. Upon production, taken on board.**

2. **Rule.**

3. With the consent of and at the request of learned Counsel for parties, Rule is made returnable forthwith.

4. The grievance in this petition is that the petitioner has instituted an appeal against the impugned order which suspends the petitioner's license for a period of 30 days, before the State

Government. However, as the concerned Secretary is unavailable due to Winter Session, the petitioner's appeal and/or application for interim relief is not taken up for consideration.

5. In this case, the suspension period was to operate for 30 days. Mrs. Veena Thadani, learned Counsel for petitioner, on the basis of instructions from the petitioner, makes a statement that from 06/12/2015 till date, the petitioner has closed down operation of the establishment. If this be the position, it is appropriate that interim relief by way of further stay on the suspension is granted. The same is accordingly granted. This interim relief shall operate during the pendency of appeal before the respondent no.2. The respondent no.2 is directed to dispose of the petitioner's appeal on its own merits and in accordance with law as expeditiously as possible and in any case, within a period of three months from today. In case the appeal is dismissed, then subject to the petitioner obtaining relief from this Court, the petitioner will have to close down operation for the balance suspension period.

6. The Rule is made absolute to the aforesaid extent. There shall be no order as to costs.

7. All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)