

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.1434 OF 2015

Shankar Vitthal Shetty

..... Petitioner

V/s

**The Deputy Commissioner of
Police (HQ 1) & Anr.**

..... Respondents

Mrs. Veena B. Thadhani for Petitioner.

Mr. J.S. Saluja, AGP for Respondents.

CORAM : A.A. SAYED, J.

DATED : 8 MAY 2015

P.C.

1. Learned Counsel for the Petitioner states that the Petition shall be numbered within one week from today. The statement is accepted.

2. By the impugned Order dated 27 April 2015, the Premises Licence held by the Petitioner for having Orchestra programmes in his Restaurant and Bar in the name and style M/s. Nityananda Bar & Restaurant, has been suspended for 90 days and a stay of 30 days has been granted to the implementation thereof to enable the Petitioner to file an Appeal. The grievance of the Petitioner is, that despite the Appeal having been filed along with the stay Application, neither the Application for Stay, nor Appeal have been decided.

3. Heard learned Counsel for the Petitioner and the learned AGP for the Respondents/State. The limited prayer in the Petition is, to stay the impugned order dated 27 April 2015, suspending the Premises Licence of the Petitioner for 90 days, till such time as the Appeal filed by the Petitioner is finally heard and disposed of by the Respondent No.2. Learned Counsel for the Petitioner states that the Appeal, as well as the Stay Application, which is pending in the Appeal, has not yet been decided. Hence, the following Order is passed:

O R D E R

- i) The Appellate Authority shall hear and dispose of the Appeal as expeditiously as possible and in any event, within a period of 8 weeks from today;
- ii) Pending the hearing and final disposal of the Appeal, the effect and operation of the impugned Order dated 27 April 2015 shall remain stayed;
- iii) In the event any adverse Order against the Petitioner is passed by the Appellate Authority, the said Order shall not be given effect to for a period of two weeks from the date of communication of the same to the Petitioner.
- iv) Writ Petition is disposed of in the above terms.
- v) Concerned Parties to act on an authenticated copy of this order.

(A.A. SAYED, J.)