

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

WRIT PETITION (L) NO.2009 OF 2015

Sainath Ashram Hindu Hotel
V/s
State of Maharashtra & Ors.

..... Petitioner
..... Respondents

Mr. R.D. Soni a/w Mr. S.N. Gawade i/b M/s. Shree & Co. for
Petitioner.
Mrs. H.Y. Shah, AGP for Respondents.

CORAM : A.A. SAYED, J.
DATED : 15 JULY 2015

P.C.

1. The only ground on which the Petitioner has been denied performance and premises license (to the extent of performing orchestra) is lack of adequate parking space. In view of the Judgments of this Court in **Manohar G Bhavanishankar vs. State of Maharashtra and ors.** in **Writ Petition(L) No.2995 of 2012** dated 30.01.2013, **Iyandurai Chinappa Kaukar vs. Commissioner Of Police** in **Writ Petition No.7951 of 2014** dated 18.12.2014 and **Rajeev S. Mehta vs. Commissioner of Police (Hotel Branch)** in **Writ Petition No.34 of 2015** dated 22.01.2015, the learned counsel for the Petitioner and learned AGP are agreed to the following order being passed:

(i) The impugned orders are quashed and set aside.

(ii) The matter is remanded to the Respondent No.4 Deputy Commissioner of Police (Licensing Authority) to decide the Application of the Petitioner afresh, after considering the aforesaid judgments.

2 All contentions are kept open.

3. The Petition is disposed of in the aforesaid terms.

(A.A. SAYED, J.)

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