

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

WRIT PETITION NO. 2120 OF 2015

Shri. Hardip Singh Bharara

... Petitioner

vs.

State of Maharashtra and 2 ors.

... Respondents

Mr. D. B. Sawant a/w Mr. Vinayak Salokhe, Advocate for the petitioner.

Ms. Uma Palsule – Desai, Additioanl Government Pleader for respondents No.1 to 3.

Coram : Smt. R. P. SondurBaldota, J.

Date : 14th September, 2015.

P.C. :

1. The petitioner carries on business of Restaurant and Bar in the name and style of M/s. Hotel Sadanand Bar and restaurant. He has been issued licence to keep a place of Public Entertainment which is subject to Rules for Licencing and Controlling Places of Public Amusements (other than cinemas) and Performance for Public Amusements including Melas and Tamashas, 1960 ('the Rules' for short). He was issued notice dated 30th May, 2015 calling upon him to show cause as to why his licence should not be cancelled for the breaches of the Rules. The final order on the notice was passed on 22nd July, 2015 and the petitioner's licence is suspended for a period of 45 days. The order was communicated to the petitioner on 26th July, 2015. The petitioner then filed appeal before the Hon'ble Minister on 21st

August, 2015.

2. It is the grievance of the petitioner that the appellate authority is not taking up the appeal for hearing. Even the application for interim reliefs is kept pending. Therefore, the petitioner has approached this Court.

3. Ms. Palsule - Desai, the learned Additional Government Pleader on instructions from the officers present in the Court makes a statement that the Hon'ble Minister will dispose off the appeal within a period of 30 days from today. Mr. Sawant the learned advocate appearing for the petitioner however requests for interim protection till the disposal of the appeal. He states that on 27th August, 2015 the petitioner has informed the concerned police station that he has kept the activities permitted under the licence closed since 27th August, 2015. In view of the statement made by the learned Additional Government Pleader the petition is disposed off in following terms. The Appellate Authority to dispose off the appeal of the petitioner within a period of 30 days from today. The respondent shall not implement the order dated 22nd July, 2015 during the pendency of the appeal.

[Smt. R. P. SondurBaldota, J.]

CERTIFICATE

Certified to be true and correct copy of the original
signed Judgment / order.