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

WRIT PETITION (L.) NO.2612 OF 2015

M/s. Snow White Veggie Restaurant	... Petitioner
Versus	
State of Maharashtra and Anr.	... Respondents

Mr. Sulah Nagvadria i/by Pankaj B. Bafna, for the Petitioner.
Mr. Amit Shastri, AGP, for the Respondent No.1.
Mr. Vinod Mahadik, for Respondent No.2 – BMC.

**CORAM : A.S. OKA &
V.L. ACHLIYA, JJ.**

DATE : 20th OCTOBER, 2015

PC.

. Heard the learned counsel appearing for the Petitioner, the learned counsel appearing for the second Respondent and the learned AGP for the first Respondent.

2. The learned counsel appearing for the Petitioner states that application dated 23rd June, 2015 (Exhibit-K to the Petition) is still pending with the second Respondent. He has tendered on record an affidavit cum undertaking dated 15th September, 2015 of one Juliance Bastian Albert, Proprietor of the Petitioner. We accept the statements made therein as well as the undertakings. In view of the statements and undertakings therein, we dispose of the Petition by passing the following the order :-

ORDER

- (i) We direct the second Respondent to decide the aforesaid application dated 23rd June, 2015 (Exhibit-K to the Petition) within a period of one month from today. The order passed on the said application be communicated to the Petitioner. Till the date of communication of the said order, no further steps shall be taken on the basis of the impugned order dated 27th August, 2015;
- (ii) If the said order be adverse to the Petitioner, no further steps shall be taken by the second Respondent on the basis of the order dated 27th August, 2015 for a period of two weeks from the date on which communication of the adverse order is served to the Petitioner. We make it clear that this protection for two weeks is granted to enable the Petitioner to comply with undertakings in terms of clause 3 of the affidavit dated 15th September, 2015;
- (iii) All contentions of the parties on the pending application are kept open which shall be decided in accordance with law;
- (iv) The Petition is disposed of on above terms.

(VL. ACHLIYA, J)**(A.S. OKA, J)**