

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Writ Petition No.762 of 2015
(Pramod Digambar Mulatkar and ors. .vs. The State of Maharashtra through
its Secretary and others.)
with
Criminal Writ Petition No.763 of 2015
(Jitendra Jawaharsingh Baghel and ors. .vs. The State of Maharashtra
through its Secretary and others.)
with
Criminal Writ Petition No.799 of 2015
(Kailas s/o Digambar Ulemale and ors. .vs. The State of Maharashtra
through its Secretary and others.)
with
Criminal Writ Petition No.800 of 2015
(Ganesh Gajanan Ghatol and ors. .vs. The State of Maharashtra through its
Secretary and others.)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders or directions
 and Registrar's orders

Court's or Judge's orders.

Mr. S.A. Chaudhari, Advocate for Petitioners in all writ petitions.
 Mrs. K.S. Joshi, A.P.P. For Respondents in all writ petitions.

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CORAM : B.R. Gavai & Prasanna B. Varale, JJ.
DATED : October 9, 2015.

1. The learned counsel for the petitioners states that the objection regarding deficit court fees would be removed within a period of one week.
2. The petitions have been filed on an apprehension that the respondents-authorities would not consider the applications for grant of permission to play D.J. Sound System in the ensuing Navratri Mahotsav.
3. It is the contention of the petitioners that the District Superintendent of Police, Akola in a press conference has declared that no such permission for

playing D.J. Sound System would be granted in the ensuing Navratri Mahotsav. It is submitted that this would affect the fundamental rights of the petitioners to perform their religious rites.

4. Mrs. Joshi, learned APP relying on the affidavits filed on behalf of the respondents states that insofar as Akola district is concerned, the applications have been received from the persons who would like to play D.J. Sound System. She submits that such applications would be considered in accordance with the law and the eligible persons would be granted permission to play D.J. Sound System subject to the conditions as are prescribed under the statutory provisions.

5. Mrs. Joshi submits that insofar as Amravati district is concerned, no one has made an application and as such there is no question of grant of permission to such person.

6. Since the State has itself made a statement that the State would consider the applications of the persons and grant permission to eligible persons for playing D.J. Sound System, we find that the apprehension expressed by the petitioners is totally misplaced. The State would be bound by what is stated in the affidavit and not something which is reported in the newspaper.

7. We, therefore, dispose of the petitions with a direction to the respondent-State to consider the applications of the petitioners, if made, in accordance with the law and grant such permission subject to conditions as are prescribed under the Statute or the

Rules framed thereunder. Needless to state that if any of the person who has been granted permission is found to be not acting in accordance with it, the State would always be at liberty to take such steps as are permissible in law.

JUDGE

JUDGE

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