

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 415 OF 2004

PRAKASH RAMRAO BODKHE
-VERSUS-
STATE OF MAHARASHTRA & OTHERS

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Advocate for Petitioner : Shri R R Mantri.
APP for Respondents 1 to 3/State : Shri N.T.Bhagat.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 30th June, 2016

Per Court:

1 I have considered the contentions of the learned Advocate for the Petitioner. This petition has been rendered infructuous by the passage of time considering the fact that the Petitioner desired to commence a dance bar, which permission was refused in 2004 under the Bombay Police Act, 1951 and this Court had refused interim relief to the Petitioner.

2 The learned Advocate for the Petitioner points out that the cases as like the Petitioner herein, which used to be considered earlier under the Bombay Police Act, 1951, are now required to be considered under the Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Rooms and Protection of Dignity of Women (Working

Therein) Act, 2016. He, therefore, submits that the Petitioner will have to apply under this 2016 Act in the event he is desirous of commencing any activity covered under the said Act of 2016.

3 In the light of the above, this Criminal Writ Petition is disposed of as being infructuous. Rule is discharged.

4 Needless to state, in the event the Petitioner desires to make any application for the activity mentioned in this petition, he shall have to move the appropriate authority under the 2016 Act. It be noted that this observation shall not mean that this Court has permitted the Petitioner to make such an application.

kps

(RAVINDRA V. GHUGE, J.)