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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9735 OF 2015**

Sukhdev Bommaya Kotian & Anr.

... Petitioners

Versus

The State of Maharashtra & Anr.

... Respondents

None for the Petitioners.

Mr. P.G. Sawant, AGP for the Respondent Nos.1 and 2.

**CORAM : A.S. OKA &
A.A. SAYED, JJ.**

DATE : 29th AUGUST, 2016

PC.

1 None appeared for the Petitioners in the morning session. Even in the afternoon, none appears for the Petitioners. Eating house license was granted by the Assistant Commissioner of Police in the name of one Bomayya Chandu Kotian who died on 8th October, 2005. It appears that the same was renewed thereafter and the last renewal was upto 31st December, 2013. The said license was cancelled by the impugned order dated 24th October, 2013 on the ground that the license granted to the said Bomayya has expired due to his death and without disclosing the fact that he is dead, the renewal of license has been obtained.

2 Hence, no case for interference in the writ jurisdiction under Article 226 of the Constitution of India is made out. We, however, make it clear that the impugned order will not prevent the Petitioners from making a fresh application for grant of license in their own name. Subject to what is observed above, the Petition is rejected.

(A.A. SAYED, J)

(A.S. OKA, J)