

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12106 OF 2016

M/s.Abhay Stores	.. Petitioner
Vs.	
Divisional Commissioner Pune Division, Pune and anr.	.. Respondents

Mr.Vaibhav Gaikwad, for the Petitioner.
Mr.S.B. Kalel, AGP for State.
Mr.V.V.Kale, Avval Karkoon, Sub-Divisional Officer, Koregaon,
Dist.Satara.

**CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 21st OCTOBER, 2016**

P.C. :

. After arguing the Petition at length, learned Counsel for the petitioner seeks leave to withdraw the Petition with liberty to the petitioner to file fresh application for grant of permanent fire works licence. According to the petitioner it was holding the licence but since the place for which the licence was granted, being in a crowded area, the licence has been cancelled. He submits that for unavoidable circumstances, the petitioner could not suggest a new place where he could run its

business and in the circumstances, though opportunity was given, but in view of failure of the petitioner to provide a new place, the licence has been cancelled. Learned Counsel for the petitioner, in the circumstances, submits that the petitioner may be permitted to apply for fresh licence and the Competent Authority of the respondents – State be directed to decide the application sympathetically as expeditiously as possible.

2. Keeping in view the aforesaid submissions, as agreed to by the learned Counsel for the parties, this Petition is dismissed as withdrawn with liberty to the petitioner to submit application for grant of new licence in accordance with law by depositing requisite fee and suggesting a new place for running of the shop of fire crackers. On receipt of the said application, respondent No.2 shall consider the same and take appropriate decision on it as expeditiously as possible keeping in view that the petitioner was running his business since last about 50 years. The decision as aforesaid be taken within one week from the date of receipt of the application. While deciding the

application, the Competent Authority shall not be influenced by the earlier rejection order.

3. With the aforesaid directions, Petition is disposed of.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)