

None for Petitioner.
Ms M. S. Bane, AGP for Respondents-State.

CORAM : R. G. KETKAR, J.
DATE : MAY 23, 2017

ORDER :

Heard Ms Bane, learned AGP for respondents.

2. By this Petition under Article 226 of the Constitution of India, petitioner has sought declaration that no performance and / or premises licence is required to be obtained by the petitioner. In the alternative, petitioner has sought direction to the respondents to forthwith issue the performance licence in response to the application made by the petitioner. By order dated 29.12.1997, ad-interim order in terms of prayer clause (c) was granted. By subsequent order dated 04.07.2002, Rule was issued and the interim relief granted earlier was ordered to continue.

3. Ms Bane submits that Mr. A. V. Sharmale, Assistance Police Inspector, Desk-10 (Hotel Branch) from the Office of the Commissioner of Police is present in the Court. She has tendered communication dated 22.05.2017 addressed by the Police Inspector, Desk-10 (Hotel Branch), Office of the Commissioner of Police, Greater Mumbai. The same is taken on record and marked 'X' for identification. Upon taking instructions, she states that petitioner is not issued premises licence as

also performance licence and their establishment is closed since the year 2002.

4. In view of the communication dated 22.05.2017 to the effect that neither performance licence nor premises licence is issued in favour of the petitioner and that establishment is closed since the year 2002, no relief can be granted in this Petition. In view thereof, Petition fails and the same is dismissed. Rule is discharged. In the circumstances of the case, there shall be no order as to costs. As the petitioner and their Advocate are absent, liberty is reserved to the petitioner to file review petition, if so advised. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab