

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.2571 OF 2017

Shri Kamlesh Ramsharam Kamat ...Petitioner
vs.
The Assistant Commissioner (Zone 5)
and Licensing Authority and anr. ...Respondents

Mr.Ashok Singh for the Petitioner.

Ms. P.H. Kanthari, GP a/w Ms. Deepali Patankar, AGP for the Respondent State.

**CORAM : SHANTANU KEMKAR &
SMT ANUJA PRABHUDESSAI, JJ.
SEPTEMBER, 18, 2017**

P.C.:

Matter not on board. Taken on production board in view of the urgency.

2. By filing this petition under Article 226 of the Constitution of India, the petitioner has challenged the order dated 17.7.2017 passed by the respondents whereby the petitioner's appeal has been partly allowed modifying the order of cancellation of the petitioner's licence to run the Drug and Chemist shop to one month's suspension.

3. Having gone through the impugned order, we find that the petitioner has admitted the defects and flaws alleged against him. Taking into consideration the same, a lenient view has been taken by the respondents and they have passed the impugned

order modifying the order of cancellation of the petitioner's licence to suspension for the period of only one month.

4. In the circumstances, when the petitioner had admitted the guilt before the respondents, in our considered view, the respondents modified lenient view needs no further indulgence by this court in a writ petition under article 226 of the Constitution of India.

5. Therefore, the petition fails and the same is dismissed.

(SMT ANUJA PRABHUDESSAI, J.)(SHANTANU S. KEMKAR, J.)