

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

WRIT PETITION NO. 1736 OF 2017

Vishal Balbhim Khote .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. G. L. Deshpande, Advocate h/f Shri. S. S. Jadhav, Advocate for the Petitioner.

Shri. P.S. Patil, Addl.G.P. for Respondent/State.

**CORAM : S.V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATED : 23rd April, 2018

PER COURT:

. The premises of the petitioner is sealed under Panchanama dated 26.06.2016 on the ground that permission to run the Video Game Parlour is not obtained. According to the petitioner the premises is rented premises.

2. We had asked the learned Additional Government Pleader, the provision under which the premises is sealed. We had adjourned the matter twice for the said purpose. No provision is pointed out to show that rented premises could have been sealed.

3. In case there is any breach committed by the petitioner the respondents always have a right to deal with the instruments and can also take further coercive steps against them. However, the premises could not have been sealed in absence of any provision to that effect.

4. As far as the challenge to the Entertainment duty is concerned, the petitioner has a remedy under the Act. So also the petitioner cannot be permitted to carry on the business without license. The petitioner may take appropriate steps in that regard.

5. The Respondent - authority shall de-seal the premises within eight (8) days. The respondents are at liberty to take such action as is permissible in law for the breach committed by the petitioner. So also the petitioner would be at liberty to take steps as is permissible with regard to the grant of license and the entertainment duty.

6. With these observations, the writ petition stands disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]