

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 281 OF 2018

Mama Kala, Krida, Sanskritik and .Petitioner
Manoranjan Mandal

Vs.

The State of Maharashtra & ors. .Respondents

**WITH
WRIT PETITION NO. 104 OF 2019**

New Samrat Kala, Krida Mandal .Petitioner

Vs.

The State of Maharashtra & ors. .Respondents

Mr. A. Gharte i/b. Mr. D. V. Sutar, Advocate, for the Petitioners in
both matters

Mr. K. V. Saste, APP, for the Respondents – State in both matters

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 01.02.2019

P.C.

. Heard Mr. Gharte, Advocate holding for Mr. Sutar,
learned counsel for Petitioners.

2. He relies upon assertions in paragraph 4(f) to urge

that Respondent Nos. 2 & 3 are unnecessarily harassing Petitioners, though no illegal activities are transacted in the club. He submits that club is registered under societies Registration Act and is functioning strictly in accordance with law.

3. Grievance is police machinery cannot insist for a license under Section 33(w) of the Maharashtra Police Act. He takes support from the order dated 02.12.2016 in W. P. No. 2471 of 2016 for this purpose.

4. Learned APP points out that notices are still not issued and therefore, he does not have instructions on facts. He, however, points out that Petitioners have not made any representations pointing alleged persecution by police machinery.

5. Identical controversy in relation to a club functioning at Kolhapur is looked into by this Bench about two days back.

6. In this situation, we grant Petitioners leave to make appropriate representations pointing out their grievances to

Respondent No. 2. If such representations are made within three weeks from today, Respondent No. 2 shall consider it in accordance with law within next six weeks. Chance of hearing shall be extended to Petitioners.

7. With these directions, we dispose of Writ Petitions.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)