

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO. 4272 OF 2015

Mr.Dinesh Bhaskar Shankhe	...	Petitioner
V/S		
The State Of Maharashtra And Ors.		Respondents
...		
Mr Ramesh Chandra Mishra for the Petitioner.		
Ms.P.N.Diwan, AGP for Respondent - State.		

...
CORAM : A.A. SAYED &
PRAKASH D. NAIK, JJ.

DATED : 10 JUNE 2019

P.C.:

By this Petition the Petitioner challenges the order dated 29-01-2015 passed by the Appellate Authority [Principal Secretary (Appeal & Security)]. By that order the Appellate Authority has dismissed the Appeal of the Petitioner essentially on the ground of delay in filing the Appeal.

2. By an order dated 22-05-2012 the licence of the Petitioner granted on 26-05-2008 under the Private Security Agencies (Regulation) Act, 2005 was cancelled. It is that order which was challenged in Appeal. The Appeal was filed only on 05-03-2014 i.e. after a period of 22 months approximately of the order of cancellation of licence dated 22-05-2012. The Appeal was required to be filed within 60 days of the order dated 22-05-2012. The reasons given for the delay are set out in paragraph 14 of the Appeal, which

reads as follows:

“14. After the cancellation of the security agency licence of the Appellant i.e. Ujala Security Services on 22-05-2012 by Hon'ble Special Inspector General of Police, the appellant has suffered heavy financial loss. Thus the Appellant disturbed on facing difficulties arising out of family problems mentally totally disturbed, therefore the Appellant has preferred this appeal out of stipulated period and the delay of 12 months may be condoned and the Appellant may be given final opportunity to create source of income for her earning the livelihood and delay may condone with great mercy and prayer of the Appellant may be accepted.”

3. In our view, the impugned order refusing to condone the delay on the ground that sufficient cause was not made out, cannot be faulted. In any event, the Appellate Authority has arrived at a finding of fact which is not liable to be disturbed in the exercise of writ jurisdiction of this Court in absence of any perversity in the impugned order being pointed out.

4. The Petition is dismissed. No order as to costs.

(PRAKASH D. NAIK,J.)

(A.A.SAYED, J.)