

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 836 OF 2018

Dr.Amol Gurunath Kelkar ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr. S.M. Kelkar I/by Mr. Mahendra Agvekar for the Petitioner.

Mr. B.V. Samant, AGP for the respondent nos. 1 to 4 State.

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

DATE : FEBRUARY 27, 2019

P.C.:

Learned AGP points out that unless and until the petitioner shows registration of subject machine under Pre-Conception & Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2003 and also registration of its establishment thereunder with necessary licence, he cannot claim the possession of Ultrasonography machine. Counsel for the petitioner states that the petitioner possesses these documents. Such documents, if any do not form part of the pleadings.

2. On 13/6/2013 in Writ Petition No. 3696 of 2013, this court has allowed the petitioner to withdraw the writ petition

challenging the cancellation of that registration and then had permitted him to make fresh application for grant of registration.

3. In this situation, without observing anything more, we grant the petitioner leave to file a fresh petition with necessary documents showing the registration and licence. With this liberty, we dispose of the present petition.

(REVATI MOHITE DERE, J.)

(B.P. DHARMADHIKARI, J.)