

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS EXTRAORDINARY JURISDICTION UNDER
ARTICLE 226 OF THE CONSTITUTION OF INDIA**

WRIT PETITION NO.973 OF 2010

Hiradevi Ghanshyamdas Dubey	..Petitioner
Vs.	
State of Maharashtra & Ors.	..Respondents

Mr.P.G. Sawant for Petitioner.
Mr.Hemant Haryan with Mr.Sukanta Karmarkar, AGP for State-
Respondent Nos.1 to 5.
Mr.Narsinh Bhosale, ACP HQ (1).

CORAM : G.S. KULKARNI, J.

DATE : 25th JANUARY, 2019

P.C.:

Learned AGP has placed on record a notification dated 19 January 2016 issued by the Commissioner of Police, Brihan Mumbai as also published in Maharashtra Government Gazette dated 20 January 2016 to the following effect:-

**“THE COMMISSIONER OF POLICE, BRIHAN MUMBAI
NOTIFICATION**

Ref.-(1) Government Order No.MIS-1215/P.N. 2/Visha-5/Home Department, dated 22nd December 2015.

(2) Government Order No. MIS-0114/P.N. 426/Visha-5/Home Department, dated 12th January 2016.

RULES FOR KEEPING PLACES OF PUBLIC ENTERTAINMENT IN GREATER BOMBAY, 1953.

In exercise of the powers conferred by sub-section (6) of section 33 of Maharashtra Police Act, 1951 and with the previous sanction of Government of Maharashtra it is notified that the Rules called “Rules for keeping places of Public

Entertainment in Greater Bombay, 1953” made by the Commissioner of Police, Greater Mumbai under clauses (wa) (i) of sub-section (1) of section 33 of Maharashtra Police Act, 1951, vide, notification No. 24668/123-E-58 of 1952, are hereby repealed.

Mumbai,
dated 19th January 2016

AHMAD JAVED.
Commissioner of Police,
Brihan Mumbai.”

2. Consequent to the notification, it is submitted that “the rules for keeping places of public entertainment in Greater Bombay, 1953” under which the petitioners were granted a licence and the show cause notice in question was issued to the petitioners, stand repealed.
3. Learned AGP states that in view of the said notification and repeal of the rules, this petition has become infructuous.
4. The petition is accordingly disposed of accepting the submissions made by learned AGP. No costs.
5. It is clarified that the disposal of this petition would not preclude the state authorities to seek appropriate legal compliances/permissions from the petitioners for conducting the business activity in question and all issues in that regard are expressly kept open.

[G.S. KULKARNI, J.]