

Vidya Amin

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

**CIVIL APPLICATION No. 5 of 2021
IN
WRIT PETITION NO. 2006 of 2009
WITH
WRIT PETITION NO. 2006 OF 2009**

Vinayak Puranchand Rajput & Ors.	...	Applicant
in the matter between		
Puranchand Kaluram Rajput	...	Petitioner
vs.		
State of Maharashtra & Ors.	...	Respondents

Mr. S.N. Gawade i/b. M/s. Ram & Co. for the applicant.
Mr. P.P. Kakade, GP a/w. Smt. V.S. Nimbalkar, AGP for the State.

**CORAM :- G. S. KULKARNI, J.
DATE :- FEBRUARY 5, 2021**

PC :-

1. Heard learned counsel for the parties.
 2. A short issue which had arisen in this petition was a challenge to an order dated 5 November, 2008 passed by the Commissioner of Police, Navi Mumbai whereby a permission to the petitioner's hotel, namely, P.K. Bar and Restaurant to conduct orchestra was rejected. The petition was admitted by an order dated 19 March, 2009. A perusal of the record indicates that there was no substantive interim order passed by this Court.
 3. The sole petitioner expired on 30 October, 2012 during the pendency of the writ petition for final hearing. The petition thus stood
- Order is corrected as per speaking to the minutes of the order dated 22/2/2021.**

abated.

4. The above Civil Application, to bring on record the legal heirs of the deceased sole petitioner, was filed on 6 February, 2018, which was after a delay of 5 years and 99 days. There is also no prayer in the Civil Application for setting aside of the abatement.

5. On the above backdrop, today, learned counsel for the parties are ad idem to state that as of now, the law bars activity of a dance bar. The petition as it stands abated, there was no interim order whatsoever for more than 11 years. All contentions of the petitioner in regard to any permissible activity, are expressly kept open. Nothing would survive in the Civil Application as well.

6. The proceedings accordingly stand disposed of. No costs.

(G. S. KULKARNI, J.)

Prashant V. Rane
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V. Rane
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Order is corrected as per speaking to the minutes of the order dated 22/2/2021.