

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8719 OF 2021**

Ratnakar M. Shetty

...Petitioner

V/s.

The Commissioner of Police & Anr.

...Respondents

Ms. Veena Thadhani and Mr. Vishal Thadhani with Ms. Snehal Gambhir for
Petitioner.

Ms. V. S. Nimbalkar, AGP for State.

CORAM : G. S. KULKARNI, J.
DATE : DECEMBER 09, 2021

P.C. :

1. Not on board. Taken on board on a praecipe being moved on behalf of the petitioner.
2. The challenge in this petition is to an order dated 2 November, 2021 passed by the Deputy Commissioner of Police (Head Quarter-1) whereby the petitioner's licence issued under Section 33 of the Bombay Police Act has been permanently cancelled in adjudication of the show cause notice dated 29 September, 2021.
3. Learned counsel for the petitioner has stated that the impugned order being appealable, an appeal was filed by the petitioner on 26 November, 2021. She has stated that the petitioner continues to act under the licence as a period of one month which is the period within which the appeal is required

to be filed has not expired and normally no action is taken by the respondent within such period. It is submitted that the 30 days period from the date of receipt of the order would come to an end on 12 December, 2021. She would hence pray that interim protection be granted to the petitioner till the application for stay is heard by the appellate authority.

4. Having heard learned counsel for the petitioner and learned AGP for the State, in my opinion, it would be appropriate that the appellate authority considers the petitioner's application for interim relief, to pass appropriate orders within a period of two months from today.

5. Till such time the interim application is decided, the impugned order dated 2 November, 2021 be not acted upon. However the petitioner is put to the notice that during such period the petitioner shall conduct his business strictly as per rules of the licence without any scope of any complaints. Ordered accordingly.

6. In view of the above observations, further adjudication of the petition is not called for. It is accordingly disposed of in terms of the above directions.

(G. S. KULKARNI, J.)

corrected as per speaking to minutes order dated 13.12.2021.