

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.13818 OF 2022
(Kausalyabai Satish Mantri Vs. The Controller of Explosives, Govt.of
India, PESO and others)

Mr.A.A.Mukhedkar, Advocate for the applicant.
Mr.S.G.Karlekar, AGP for respondent Nos. 2 to 5.
Mr.R.R.Bangar, Standing Counsel for Union of India.
Mr.P.D.Jarare, Advocate for respondent No.6 in writ petition.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : DECEMBER 09, 2022

PER COURT :

1. On 25.11.2022, we had passed the following order :-

"1. The applicant is the original petitioner, who has received the order dated 25.04.2022 by which, the writ petition has been disposed off and the petitioner has been directed to opt for a different place to start the fire cracker shop.

2. By this civil application, the applicant/petitioner seeks extension of time by eight months, when seven months have already lapsed.

3. The learned Advocate representing the original intervenor in the writ petition, submits that despite the order of this Court, the petitioner is still operating the same shop at the same place in defiance of the order of this Court.

4. This is denied by the petitioner.

- 5. We call upon the learned AGP to inform the District Collector to direct an appropriate authority to inspect the shop of the applicant / petitioner within 5 days from today. If the shop is operating, the same shall be sealed with material that is kept inside the shop and an appropriate action may be initiated against the applicant/petitioner.*
- 6. Let the report of the District Collector in deference to the order of this Court be placed before us on 08.12.2022.*
- 7. List this Civil Application on 08.12.2022 in the urgent orders category."*

2. We are informed by the learned AGP that when the shop was inspected, a small quantity of explosives was found in the shop having a title of Mantri General Stores. A quantity of explosives was stored on the first floor of the building, which belongs to the applicant. When an attempt to inspect the building was made, the applicant protested and demanded a search warrant, though this Court had passed an order.

3. The learned Advocate for the petitioner submits that he would only pray for extension of time to present his application for seeking relocation of the license to start the fire crackers shop at a different place. Recently the said application has been filed on 25.09.2022 to the District Collector and the Controller of Explosives, Wardha. He,

therefore, submits that this application may be considered only to this extent.

4. In view of the above, this application is disposed off. Now that the proposal has been tendered by the applicant, the same shall be considered by the competent authority and the decision, we expect, shall arrive on or before 31.01.2023.

5. In view of the above order, the learned Advocate for the applicant submits that she does not press CA No.16400/2022 and the same may be disposed off. In view of the said statement, the said civil application stands disposed off.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)