

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8512 OF 2022

M/s. Sainath Refreshment ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Adv. R. D. Soni a/w. Adv. Sujay Gawade, Adv. Sumedha Dhopate and Adv. Mudita Pawar i/b. Shree & Co., Advocate for the Petitioner.

Mr. Y. D. Patil, AGP for the Respondents/State.

**CORAM: S.V. GANGAPURWALA &
 SANDEEP V. MARNE, JJ.**

DATED : JULY 20, 2022

P.C.

1. The appeal filed by the petitioner is pending against the order of June 2022 thereby cancelling the petitioners Orchestra License. The appeal is not yet decided.

2. In similar matter bearing Writ Petition No. 7877 of 2022, the learned AGP had made a statement that preferably within four months, the appeal would be decided.

3. The learned Counsel for the petitioners submits that the petitioners have also filed a stay application, which is also not yet decided. According to the learned Counsel for the petitioners as the appeal is filed, it would be axiomatic stay. Reliance is placed on the judgment of this Court in *Bhaskar B. Bhosle v. State of Maharashtra*¹.

¹ 2003 (4) Mh. L. J. 328.

4. In light of that, we pass the following order :

ORDER

- i) The appeal may be decided by the respondent Authority preferably within four months from today.
- ii) The Authority may decide the stay application filed by the petitioners expeditiously. Till the stay application is decided by the Authority, the impugned order shall not be implemented against the petitioners.
- iii) The writ petition is accordingly decided. No costs.

(SANDEEP V. MARNE, J.)

(S.V. GANGAPURWALA, J.)

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