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

**WRIT PETITION NO. 13716 OF 2023**

M/s Universal Traders and Anr.

.. Petitioners

**Versus**

State of Maharashtra and Ors.

.. Respondents

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***Ms. Minal Chandnani a/w Mr. Bhavesh Sawant i/b. Jaywant S. Chandnani Associates , Advocates for the Petitioners.***

***Mr. A.I. Patel Addl GP a/w Ms. M.S. Bane , AGP for the Respondent No1.-State .***

***Mr. Suresh Kamble, Advocates for Respondent Nos. 2 and 3.***

***Mr. Robinsingh Palthiya , Advocate for Respondent No. 7.***

***Mr. Aman Rajwani representative of Petitioners present.***

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**CORAM : B. P. COLABAWALLA &  
M.M. SATHAYE, JJ.**

**DATE : NOVEMBER 09, 2023**

**P. C.**

**1.** The above Writ Petition is filed challenging the order dated 15<sup>th</sup> September 2023, passed by Respondent No. 3 rejecting the Petitioners' application for renewal of licence to sell fire crackers. The reason given for the said rejection is that the renewal is sought by the

1<sup>st</sup> Petitioner Firm of which Respondent No. 7 is a 50% partner alongwith Petitioner No. 2 and because there are internal disputes (between the partners), the licence cannot be renewed.

2. We have heard the parties at some length. The Petitioners and Respondent No. 7 have agreed that no reasons are required to be given for passing the present order since they are agreeing for an ad-hoc arrangement.

3. The Petitioners and Respondent No. 7 have agreed that the licence of 1<sup>st</sup> Petitioner Firm can be renewed upto 31<sup>st</sup> March 2024, subject to the Petitioners paying to Respondent No. 7, an amount of Rs. 1,50,000/- per month and which would be payable on 10<sup>th</sup> day of every month starting from 10<sup>th</sup> December 2023 and thereafter on 10<sup>th</sup> January 2024, 10<sup>th</sup> February 2024 and 10<sup>th</sup> March 2024 respectively.

4. Both parties have also agreed that this order is pass without prejudice to the rights and contentions of the Petitioners and Respondent No. 7 and also permitting them to continue their respective proceedings filed against each other before various Courts.

In other words, no parties shall claim any equity in any proceedings before any other authority by virtue of this order.

5. In light of this consensus between the Petitioners and Respondent No. 7, the Fire Department namely, Respondent No. 3 is directed to renew the licence of the Petitioners as aforesaid, subject to compliance with all other applicable rules and regulations.

6. The learned counsel appearing on behalf of Respondent No. 3 has fairly stated that since the Diwali festival is about to start, it shall renew the licence of the Petitioners by tomorrow, subject to the Petitioners complying with all the applicable rules and regulations in that regard.

7. It is needless to clarify that in the event the Petitioners commit a single default in making the payments to Respondent No.7 [as stated above], the licence granted in favour of the Petitioners shall be cancelled. Respondent No. 7 has also given an undertaking to the Court that till 31<sup>st</sup> March 2024, he will not interfere with the business of the Petitioners by writing any letters to any authority or

other persons, interfering with the business of the Petitioners. The said statement is accepted as an undertaking given to the Court.

**8.** The Writ Petition is accordingly disposed of in the aforesaid terms. There shall be no order as to the costs.

**9.** This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**[ M.M. SATHAYE, J.]**

**[ B. P. COLABAWALLA, J.]**