

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.774 OF 2023

(Dilbagsingh s/o Gurudeepsingh Sokhi Vs. State of Maharashtra thr. Commissioner of
Police, Nagpur)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. F. T. Mirza, Advocate for Petitioner.
Mr. S. M. Ukey, Addl GP for Respondent/State.

CORAM: ROHIT B. DEO AND Y. G. KHOBRAGADE, JJ.

DATE: 2nd FEBRUARY, 2023.

Heard.

2. The order impugned is passed by the Commissioner of Police whereby the application preferred by the petitioner for renewal of the performance licence is rejected.

3. We note that even according to the petitioner there is an appellate remedy available. As a fact, the petitioner did avail the remedy of appeal and it is after the order of remand passed by the Appellate Authority that the Commissioner of Police has rendered the order impugned.

4. Considering that there is a remedy of appeal available, and rather than the writ court, the Appellate Authority may be better placed to consider the grievances, some of which touch factual aspects, illustratively whether

the petitioner as a fact was holding performances without licence as is recorded in the order impugned, we relegate the petitioner to the remedy of appeal.

5. If the appeal is preferred within the next two weeks, we expect the Appellate Authority to take a decision on appeal, after hearing the petitioner, as expeditiously as possible, and in any event, within thirty days from filing of the appeal.

6. The petition is dismissed.

(Y. G. KHOBRAGADE, J.)

(ROHIT B. DEO, J.)

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