

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH

WRIT PETITION NO. 1561 OF 2023

Smt. Sarladevi Santoshkumar Singh,
Owner of M/s. Aditya Bar and
Occupation : Business, aged about 68 years,
R/o Plot Nos. 12 and 13, Talati No. 49,
Survey No. 80, Grampanchayat Mondha,
Taluka Hingna, District Nagpur.

...PETITIONER

Versus

1. State of Maharashtra,
through Secretary, Home Department,
Mantralaya, Mumbai.
2. Commissioner of Police,
Commissioner Office, Police Bhawan,
Civil Lines, Nagpur City, Nagpur.

...RESPONDENTS

Shri Anand Jaiswal, Senior Advocate with Ms. Radhika Bajaj,
Advocate for the petitioner.
Ms. S.S. Jachak, Assistant Government Pleader for the respondents/
State.

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**CORAM : A.S. CHANDURKAR AND
M.W. CHANDWANI, JJ.
DATE : MARCH 13, 2023.**

ORAL JUDGMENT : (PER : A.S. CHANDURKAR, J.)

Rule. Rule made returnable forthwith and heard the
learned Counsel for the parties.

2. The petitioner pursuant to grant of Premises License and Performance License in the year 2014 is running an establishment by name 'Aditya Bar and Restaurant'. The Premises License and Performance License came to be cancelled by the second respondent – Commissioner of Police on 27/6/2022 under the provisions of Rule 222 of the Rules for Licensing and Controlling Places of Public Amusement (other than Cinemas) and Performances for Public Amusement, including Cabaret Performances, Melas, Discotheque, Games, Pool Game Parlours, Amusement Parlours providing Computer or Virtual Reality Games, Cyber Cafes, Bowling Alleys, Card Rooms, Social Clubs, Sports Clubs Melas and Tamashas, 1960. Being aggrieved, the petitioner preferred an appeal before the State Government challenging the said order. The State Government by its order dated 28/12/2022 allowed the said appeal and set aside the order passed by the second respondent. Consequently, the petitioner claims entitlement to renewal of the Premises License and Performance License for the current year.

3. In the aforesaid facts, since the order dated

27/6/2022 passed by the second respondent has now been set aside by the State Government, the Writ Petition is disposed of by directing respondent No.2 to take necessary steps for renewal of the Premises License and Performance License for the current year if there is no other legal impediment within a period of 15 days from today. The learned Assistant Government Pleader undertakes to communicate this order to respondent No.2.

4. Rule accordingly. No costs.

JUDGE

JUDGE

Sumit