

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.102 OF 2024***

Ravi Babulal Vasita ...Petitioner
Versus
The State of Maharashtra ...Respondent

Mr. Monish Bhatia, for the Petitioner.

Mr. R. M. Pethe, A.P.P for the Respondent – State.

PSI – A. B. Kedar, Central Police Station, Ulhasnagar, is present.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.
DATE : 12th JANUARY 2024***

P.C. :

1. By this petition, the petitioner has sought the following substantive relief :-

‘b. Hon’ble Court be pleased to issue a writ quashing the impugned notice dated 28/12/2023 issued by the respondent to the Commissioner of Ulhasnagar Municipal Corporation thereby requesting to seal the said premises, as the same is void ab initio.’

2. The grievance of the learned counsel for the petitioner is that the Commissioner of Ulhasnagar Municipal Corporation, is not the Competent Authority and cannot seal the premises in question and

hence the notice issued by the Senior Police Inspector, Central Police Station, Ulhasnagar to the Commissioner of Ulhasnagar Municipal Corporation, being void ab initio, be quashed and set aside.

3. Learned APP on instructions submits that the impugned notice dated 28th December 2023 issued by the Senior Police Inspector, Central Police Station, Ulhasnagar to the Commissioner of Ulhasnagar Municipal Corporation, will be withdrawn and that proper steps will be taken, in accordance with law under Section 18 of the Immoral Traffic (Prevention) Act (PITA Act), to seal the premises in question, if so advised.

4. In view of the aforesaid statement made by learned APP, nothing survives for further consideration in this petition. The petition stands disposed of accordingly.

All concerned to act on the authenticated copy of this order.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.