



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO.14307 OF 2025

Dhanraj Momos And Chinese Center
Through Its Prop Dhanraj Ratna Vishwakarma

..Petitioner

VERSUS

The State Of Maharashtra
Through Secretary And Others

..Respondents

.....
Ms. Karishma S. Sarin, Advocate for the Petitioner.
Mr. S. B. Pulkundwar, AGP for Respondent Nos.1 to 3/State.
.....

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 02 DECEMBER 2025

ORDER :

. Present petition has been filed for directing respondent Nos.2 and 3 not to coerce and force the petitioner to shut their shops/stores prior to 11.00 p.m.

2. Heard learned Advocate for the petitioner. She submits that after the petition was filed, the Government has come with a resolution dated 01.10.2025 clarifying as to what is the definition of 'Day' under Section 2(2) of the Maharashtra Shops and Establishments (Regulation Of Employment and Conditions of Service) Act, 2017 (hereinafter referred to

as the “Shop and Establishments Act”). In spite of this resolution shown to the authorities, still the police are forcing the petitioner to close down the shop before 11.00 p.m.

3. Learned AGP waives notice for respondent Nos.1 to 3 and upon instructions from respondent No.2, makes a statement that necessary directions would be given in view of the Government Resolution dated 01.10.2025.

4. Such clarification and directions from respondent No.2 would serve the purpose of the petitioner. In fact, the Government Resolution dated 01.10.2025 makes a specific statement that the necessary amendments in the Shop and Establishments Act be brought to the notice of Local Administration and Police Department. Uptill now further directions ought to have been given by respondent No.2 to the establishment working under him.

5. We dispose of the writ petition by directing respondent No.2 to issue necessary directions to all the concerned under him within a period of three days from today.

[HITEN S. VENEGAVKAR]
JUDGE

scm

[SMT. VIBHA KANKANWADI]
JUDGE