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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9235 OF 2025**

M/s Hotel Shaswat Family Restaurant and Bar
Through its Proprietress
Sukhlata Bhaskar Shetty Petitioner.

V/s
The State of Maharashtra and Others Respondents.

Mr. R.D. Soni a/w Mr. Sujay Gawade & Mudita Pawar, i/b Shree & Co.,
Advocates for the petitioner.

Mr. P.G. Sawant, AGP for the State-respondents.

**CORAM : SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ.**

DATE : 7th August 2025

PC. :

This writ petition has been filed because there is delay in disposal of the statutory Appeal filed by the petitioner-Establishment.

2. A final order was passed by the Commissioner of Police, Navi Mumbai on 24th June 2025 after issuing show cause notice to the petitioner-Establishment on 19th May 2025 and taking its response.

3. We may also observe that the learned counsel appearing for the appellate Authority has made a statement on instructions that the Appeal filed by the petitioner-Establishment shall be decided within two weeks provided the appellant-establishment cooperates and argues the matter on date fixed.

4. Mr. R.D. Soni, the learned counsel for the petitioner-Establishment submits that when statutory Appeal filed within the period of limitation is not decided by the appellate Authority, the petitioner-Establishment is entitled for an order staying the operation and implementation of the final order dated 24th June 2025. The learned counsel for the petitioner-Establishment placed reliance on the decision of this Court in "*Bhaskar B. Bhosle v. State of Maharashtra & others*", 2003(4)*Mh.L.J.* 328 and in Writ Petition No.8408 of 2022 titled "*M/s Hotel Gulabi Bar & Restaurant & Bar v. State of Maharashtra and Others*" decided on 18th June 2022 to lay support to the prayers seeking stay of the final order dated 24th June 2025.

5. At the outset, we may indicate that the order passed in "*Bhaskar B.*

Bhosle” and “*M/s Hotel Gulabi Bar & Restaurant & Bar*” does not lay down a law that the operation and implementation of the order under challenge must be stayed if the statutory Appeal is not decided and is pending consideration or there is delay in disposal of the statutory Appeal. The grant of interim relief to an aggrieved party shall be within the discretion of the Court which can be exercised in the facts and circumstances of the case. While having a glance at the show cause notice dated 19th May 2025, we find that some video recording was taken into consideration and it was observed that the petitioner-Establishment got involved in 5 cognizable offences and in 11 non-cognizable offences.

6. In the aforesaid facts, this Court thinks that it should not comment on merits of the case and this writ petition is disposed of with a direction to the appellate Authority to decide the statutory Appeal filed by the petitioner-Establishment by 26th August 2025.

7. Writ Petition No.9235 of 2025 is disposed of in the aforesaid terms.

[MANJUSHA DESHPANDE, J.]

[SHREE CHANDRASHEKHAR, J.]