

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14115 OF 2025**

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M/s. Samrat International Restaurant & Bar
Through its proprietor Shri. Dinesh B. Shetty .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. Sujay Gawade alw Mudita Pawar i/b. Shree & Co., Advocates for the Petitioner.

P. G. Sawant, AGP, Advocate for the Respondent No.4.

CORAM: AMIT S. JAMSANDEKAR, JJ.

DATE: OCTOBER 22, 2025

(Vacation Court)

P. C.

1. Heard Mr. Gawade for the Petitioner and Mr. Sawant the Learned AGP for the 4th Respondent. Rule. The Respondents waive service. Rule made returnable forthwith and by consent of parties, heard finally.

2. By the present Petition, the Petitioner has challenged the order dated 18th October 2025 passed by the Deputy Commissioner of Police, Mira Bhaynder (the 4th Respondent). By the said order, the 4th Respondent has suspended the entertainment license of the Petitioner to operate an

Orchestra in the subject premises under the provisions of Rule 238 and 239 of the Entertainment Rules, 1960.

3. Mr. Gawade, the Learned Counsel appearing for the Petitioner, submits that the impugned order is in the teeth of the binding precedents of this Court. The Petitioner has availed the statutory remedy by filing an Appeal before the Appellate Authority, the 2nd Respondent. The said Appeal is pending. He submitted that in the intervening period, the execution and operation of the impugned order ought to be stayed. Mr. Gawade relied upon order dated 14th October 2025, passed by this court in Writ Petition (ST) No. 33788 of 2025. He submitted that the facts of the present case are identical to the facts of Writ Petition (ST) No. 33788 of 2025. He submitted that the same order be passed in the present Writ Petition.

4. Mr. Sawant, the Learned AGP, on instructions, submits that the Respondent No. 2 will make an effort to decide the Appeal within a period of 4 weeks from today.

5. As the Petitioner has availed the statutory remedy, it may be expedient in the interest of justice that the said Appeal is decided as expeditiously as possible, and having regard to the nature of the challenge, it

may be appropriate to stay the execution and operation of the impugned order dated 18th October, 2025, till the Appeal is decided by the Appellate Authority.

6. Hence, the following order :-

ORDER

- (i) The Petition stands partly allowed.
- (ii) Respondent No. 2 is directed to decide the Appeal as expeditiously as possible and, preferably, within a period of 4 weeks from the appearance of the Petitioner before the Appellate Authority.
- (iii) The Petitioner shall appear before the Appellate Authority on 4th November 2025.
- (iv) In the meanwhile, the execution and operation of the impugned order dated 18th October 2025 shall remain stayed till the decision of the Appeal by the Respondent No. 2.

7. The above Petition is disposed of in the aforesaid terms.

8. This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on production by fax
or email of a digitally signed copy of this order.

[AMIT S. JAMSANDEKAR, J.]