

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.15151 OF 2025

M/s. Hotel Ganesh Restaurant and ... Petitioner
Bar through its proprietor

V/s.

State Of Maharashtra Thr ... Respondents
Government Pleader And Ors

Mr. R.D. Soni a/w Sujay Gawade and Sumedha Dhopate with Mudita Pawar and Mihika Save i/by Shree and Co., for the petitioner.

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

CORAM : N.J. JAMADAR, J.

DATE : 14TH NOVEMBER 2025.

PC:

1. Heard the learned counsel for the parties.
2. The challenge in this petition is to an order dated 31st October 2025, passed by the Deputy Commissioner of Police, Mira-Bhayander, thereby suspending the entertainment licence of the petitioner to operate an Orchestra in the subject premises for a period of 45 days under the provisions of Rule 238 and 239 of the Entertainment Rules, 1960.
3. Mr. Soni, the learned counsel for the petitioner, submits that, the impugned order is in teeth of the binding precedents of this Court. The petitioner has availed the statutory remedy by filing an appeal before the Appellate Authority. However, in the intervening period, the

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execution and operation of the impugned order deserves to be stayed, lest the Appeal would be rendered infructuous.

4. Learned AGP, on instructions, submits that, the respondent no. 2 will make an effort to decide the appeal within a period of four 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 till the appeal is decided by the Appellate Authority.

6. Hence, the following order:

ORDER

i) The petition stands partly allowed.

ii) The respondent no. 2 is requested to decide the appeal as expeditiously as possible and, preferably, within a period of four weeks from the appearance of the petitioner before the Appellate Authority.

iii) The petitioner shall appear before the Appellate Authority on 27th November 2025.

iv) In the meanwhile, the execution and operation of the impugned order shall remain stayed till the decision of the appeal by the respondent no. 2.

(N.J. JAMADAR, J)