



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3422/2025

Youth Social Club, Chandrapur Through its Chairman Shri Vyankatesh Malliya
Thota

...Versus...

Divisional Commissioner, Nagpur Division, Nagpur and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. S.W. Sambre, Advocate for petitioner
Mr. S.B. Bissa, AGP for respondents

CORAM : ROHIT W. JOSHI, J.

DATE : 24/12/2025

1. The present petition takes exception to the order dated 07/10/2024, passed by the District Magistrate, Chandrapur, whereby the said authority has refused to grant renewal to Card Room Licence of the petitioner for a period from 01/01/2024 to 31/12/2024 and order dated 10/03/2025, passed by the Sub Divisional officer, Nagpur Division, Nagpur, dismissing appeal arising out of the said order.

2. Perusal of the order passed by the District Magistrate will demonstrate that the same is passed on the basis of report dated 22/12/2023 furnished by the Sub Divisional Officer. It is the case of the petitioner that despite a written demand for providing copy of the said inspection report, copy of the same was not provided to him and therefore, the impugned order dated 07/10/2024, which is

passed on the basis of the said inspection report is unsustainable.

3. Learned Advocate for the petitioner contends that both the learned Authorities have not taken into consideration this aspect of the matter while passing the impugned orders. He further contends that the learned Appellate Authority has not recorded any independent reason while dismissing the appeal and has mechanically confirmed the findings recorded by the learned District Magistrate. In view of these submissions, learned Advocate prays that the impugned orders be quashed and set aside and directions be issued for granting renewal to the Card Room Licence of the petitioner.

4. Per contra, Mr. Bissa, learned Assistant Government Pleader for the respondents opposes the petition. He contends that the Card Room of the petitioner is located at a very sensitive location, which is near the school and church. He further contends that several instances of non-compliance of mandatory compliances have been noticed, as a consequence of which, the order refusing renewal was required to be passed. Learned Assistant Government Pleader states that the premises of petitioner lacks adequate CCTV coverage, sign-in records is not properly maintained, there is possibility of misuse of premises for gambling, there is heavy movement of youth during late hours and the Card Room also causes serious parking nuisance.

5. Perusal of the impugned orders as also reply filed by the respondents before this Court will demonstrate that the contention of the petitioner that the enquiry report, dated 22/12/2023 which is the foundation of the impugned order is

not provided to him, is not disputed by the respondents. Although renewal of licence is a matter of subjective satisfaction of the Licensing Authority, it must be stated that adverse material, on the basis of which the satisfaction is arrived at, must be disclosed to the licensee in order to enable the licensee to make his submission with respect to the same. The impugned orders are passed without providing adverse material to the petitioner/licensee and are, therefore, unsustainable. Likewise, it also appears from perusal of the impugned orders that the contentions raised by the petitioner are not dealt with while rejecting the application for renewal of licence and dismissing the appeal arising out of the said order.

6. In view of the aforesaid, in the considered opinion of this Court, the petition deserves to be partly allowed in the following terms :-

(i) The impugned orders dated 07/10/2024 passed by the Collector and District Magistrate, Chandrapur in Case No.MAG-OFF-8/T-2/PL./2024/433 and dated 10/03/2025 passed by the Divisional Commissioner, Nagpur Division, Nagpur in Appeal No.82/2024 are quashed and set aside.

(ii) Learned District Magistrate, Chandrapur is directed to decide the application for renewal of licence afresh after hearing the petitioner.

(iii) Learned District Magistrate, Chandrapur is also directed to provide copy of enquiry report dated 22/12/2023 to the petitioner well in advance before the date of hearing.

(iv) Learned District Magistrate, Chandrapur is directed to pass a reasoned order taking into consideration the

contentions of the petitioner in case the said Authority decides not to renew the licence.

(v) Parties to appear before the District Magistrate, Chandrapur on 20/01/2026.

(vi) The District Magistrate, Chandrapur is directed to decide the application on or before 30/04/2026.

7. No order as to costs.

(ROHIT W. JOSHI, J.)

Wadkar