

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12350 OF 2025

Yunnus Musabhai Mulani ...Petitioner
VERSUS
The State of Maharashtra and Ors. ...Respondents

...
Mr. Swaraj Jadhav, Advocate for Petitioner.
Mr. J.P. Patil, AGP for the Respondent – State.
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 6th MARCH, 2026.

P. C. :

1. The present petition raises a challenge to the order dated 18.09.2025, rendered by the learned Divisional Commissioner, Pune Division, Pune, in Appeal No. Fireworks License Renewal/SR/02/2024, arising out of the impugned order dated 21.08.2024, passed by the learned District Magistrate, Solapur, in Proceeding No. 2024/DCB-4/RR-1495/E-2449087.

2. The Petitioner is the owner of Welcome Fireworks, wherein a fire incident took place on 21.06.2024, which was eventually brought under control by the concerned authorities. Subsequently, First Information Report (FIR) No. 109 of 2024 for

the offences punishable under Sections 188, 285 and 286 of the Indian Penal Code and Sections 5 and 9-B of the Explosives Act, 1884 came to be registered against the Petitioner at the Pangari Police Station, District Solapur Rural.

3. Subsequently, certain communications were exchanged between the Respondent No.3 (District Magistrate, Solapur) and the Respondent No.2 (Divisional Commissioner, Pune). Upon duly conducting the hearing and inquiry, the orders under challenge has been rendered thereby suspending the Petitioner's license, till the conclusion of the aforesaid criminal proceedings.

4. In the aforesaid backdrop, the learned counsel for the Petitioner submits that the suspension of the license of the Petitioner is arbitrary and illegal. First Information Report (FIR) No. 109 of 2024 has been lodged with *mala fide* intent by the complainant and the same is under challenge before this Court in Criminal Writ Petition No. 3709 of 2024. The Petitioner has duly complied with all the requirements and statutory rules pertaining to safety and prescribed standards while running his establishment. As such, the suspension of the license is unjustified.

5. The learned AGP for the Respondents-State has supported the orders impugned herein and has pointed out the negligence of the Petitioner in maintaining his premises, which resulted in fire and consequent damage to the property as well as to the environment.

6. Having heard the submissions of the respective parties and upon perusal of the record indicates that there is no dispute with regard to the alleged fire outbreak having taken place in the premises belonging to the Petitioner. No just or sufficient reasons have been forthcoming as to how the alleged fire came to take place and what measures were taken by the Petitioner to prevent the same.

7. Accordingly, the learned District Magistrate has noted several deficiencies and non-compliances on the part of the Petitioner, and the same has been upheld by the learned Divisional Commissioner. As such, considering noted failure on the part of the Petitioner to ensure necessary and mandatory safety measures by the fact finding authority.

8. Therefore, no error is noted in the well reasoned order under challenge. The petition sans merit and the same is dismissed.

[SACHIN S. DESHMUKH, J.]