

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3717 OF 2026

Jitendra Nandlal Vaitye

...Petitioner

Versus

Commissioner Of Police And Ors

...Respondents

Mr. Vijay Patil, Senior Advocate, a/w Vivek Rane, i/b Kuldeep Jain, for the Petitioner.

Mr. Y. D. Patil, AGP for the State.

Mr. Rajendra Chavan, Dy. Collector and OSD to Divisional Commissioner, present.

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CORAM: N. J. JAMADAR, J.

DATED: 23rd MARCH, 2026

PC:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 17th March, 2026, whereby respondent No.2 in exercise of the powers under Rules 238 and 239 of the Rules for Licensing and Controlling Places of Public Amusement (other than Cinemas) and Performances (including Melas and Tamashas), 1999, ("the Public Amusement Rules, 1999") has suspended the license of the petitioner to operate the orchestra for the period of 15 days with effect from 19th March, 2026.

3. The petitioner has instantaneously preferred an appeal before the Divisional Commissioner, Konkan Division, on 18th March, 2026. However, the appeal has not been heard.

4. The learned AGP, on telephonic instructions of an officer of respondent No.3, submits that respondent No.3 would decide the appeal within a period of four weeks.

5. Since the petitioner has already preferred a statutory appeal, this Court is not inclined to entertain this petition. However, since the impugned order suspends the performance license to operate an orchestra for a term of 15 days only, if the appeal is not heard and the suspension period runs out, the appeal would be rendered completely infructuous.

6. In these circumstances and having regard to the exigency of the situation, in as much as four days, out of 15 days suspension period, have already expired, this Court considers it appropriate to request respondent No.3 to hear and decide the appeal as expeditiously as possible and, preferably, within a period of four weeks, as stated by the learned AGP, and, in the meanwhile, grant stay to the execution, operation and implementation of the order dated 17th March, 2026, till the decision of the appeal.

7. Ordered accordingly.
8. The petition stands disposed.

[N. J. JAMADAR, J.]