IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13138 OF 2023

M/s. P.Z. Skill Games (OPC) Pvt. Ltd. … Petitioner

Versus

The State of Maharashtra, through its Secretary, Home Department …Respondent

Mr. Vijay R. Garad for the petitioner.
Mr. Sachin H. Kankal, AGP for the State.

CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 4 January, 2024

P.C.

1. We have heard learned counsel for the petitioner and learned AGP for the State.

2. In the first session, learned counsel for the petitioner had drawn our attention to the impugned order dated 5 August, 2021 which merely informs the petitioner that the application of the petitioner for conducting online games shall be decided after the decision of the Supreme Court in the case of **The State of Maharashtra & Ors. vs. Gurdeep Singh Sachar & Ors. (Special Leave Petition (Criminal) Diary No(s). 42282/2019**.

3. As informed by Mr. Kankal, learned AGP by an order dated 6 March, 2020, the Supreme Court has stayed the judgment of this Court delivered on

Criminal PIL No. 22 of 2019 dated 30 April, 2019 against which the State of Maharashtra has filed the said proceedings before the Supreme Court. A copy of the order passed by the Supreme Court is placed on record by Mr. Kankal.

4. The case of the petitioner is that the petitioner has made an applciation to the Designated Authority for a licence to conduct online games. Such application for licence has not been refused and the same is kept pending.

5. In our opinion, the challenge as raised by the petitioner is premature, inasmuch as the Supreme Court is seized with the matter arising out of the judgment of this Court, which has been stayed. The petitioner's application for licence is not rejected and it is simplicitor kept in abeyance. We, accordingly, dispose of this petition, with liberty to the petitioner to pursue the proceedings either with the State Government or take recourse to the appropriate remedy as may be available to the petitioner, after the proceedings before the Supreme Court are decided.

6. In the event, the petitioner is required to puruse any future proceedings, all contentions of the parties are expressly kept open.

7. Disposed of in the above terms. No costs.

(FIRDOSH P. POONIWALLA, J.) (G. S. KULKARNI , J.)