

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C).No. 24601 of 2015 (A)  
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PETITIONER:  
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HOTEL DONA CASTLE, KOLLAM,  
REPRESENTED BY ITS  
MANAGING DIRECTOR,  
E.J. DAVIS, AGED 59 YEARS,  
S/O. LATE JOSEPH.

BY ADVS.SRI.M.G.KARTHIKEYAN  
SRI.NIREESH MATHEW  
SRI.C.C.THOMAS (SR.)

RESPONDENTS:  
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1. THE EXCISE COMMISSIONER,  
COMMISSIONERATE OF EXCISE,  
THIRUVANANTHAPURAM - 695 001.
2. THE DEPUTY COMMISSIONER OF EXCISE,  
KOLLAM - 690 501.
3. STATE OF KERALA, REPRESENTED BY ITS SECRETARY,  
TAXES (A) DEPARTMENT, GOVT. SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.

R BY SRI. K.C. VINCENT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

: 2 :

**APPENDIX**

PETITIONER'S EXHIBITS:

- EXT.P1 : PHOTOCOPY OF THE ORDER NO.XC7-20249/2013/R.DIS DATED 09.09.2013 PASSED BY THE FIRST RESPONDENT.
- EXT.P1(a) : ENGLISH TRANSLATION OF EXT.P1.
- EXT.P2 : PHOTOCOPY OF THE REVISION PETITION DATED 28.07.2015 FILED BEFORE THE 3RD RESPONDENT.
- EXT.P3 : PHOTOCOPY OF THE ORDER NO.XC7-9637/2015 DATED 03.07.2015 PASSED BY THE 1ST RESPONDENT.
- EXT.P4 : PHOTOCOPY OF THE REVISION PETITION DATED 30.07.2015 FILED BEFORE THE 3RD RESPONDENT.
- EXT.P5 : PHOTOCOPY OF THE STAY PETITION DATED 30.07.2015 FILED ALONG WITH EXT.P4.
- EXT.P6 : PHOTOCOPY OF THE ORDER DATED 10.07.2015 IN W.P.(C) NO. 19072/2015 PASSED BY THIS HON'BLE COURT.
- EXT.P7 : PHOTOCOPY OF THE DECISION, STATE OF KERALA & OTHERS VS. PANAMOOTTIL INVESTMENTS & OTHERS REPORTED IN 2010(1) KHC 353 (DB).
- EXT.P8 : PHOTOCOPY OF THE ACT 7 OF 2014 PUBLISHED IN KERALA GAZETTE DATED 13.02.2014.

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

DAMA SESHADRI NAIDU, J.

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W.P. (C) No. 24601 of 2015 (A)  
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Dated this the 13<sup>th</sup> day of August, 2015.

### JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The petitioner company, which initially had FL-3 licence, now has FL-11 licence in the light of the changed governmental policy. Under various circumstances, which are not germane to be dilated upon, the petitioner company filed Exts.P2 and P4 statutory revisions before the third respondent against Exts.P1 and P3 orders passed by the first respondent. Seeking their expeditious disposal, the petitioner has approached this Court.

3. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader has submitted that the third respondent does not have any objection to consider the petitioner's Exts.P2 and P4 revisions expeditiously.

In the facts and circumstances, having regard to the

respective submissions of the learned Counsel for the petitioner and the learned Government Pleader, this Court, without expressing any opinion on the merits of the matter, disposes of the writ petition with a direction to the third respondent to consider the petitioner's Exts.P2 and P4 revision petitions in accordance with law and pass appropriate orders thereon, as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

rv

