

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF APRIL

TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.10952 of 2015

BETWEEN

M/s. Ganesh Wines.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Secretary, Prohibition & Excise Department, AP Secretariat, Hyderabad and others.

...RESPONDENTS

The Court made the following:

ORDER:

Petitioner questions the impugned order of suspension, pending enquiry, passed against him by respondent No.3 dated 10.04.2015. Petitioner states that said order is not served on him, but respondent No.5 has given him the copy of the order. Hence, the writ petition is filed questioning the said order.

2. Learned counsel for the petitioner states that on the alleged statement of the third party, petitioner's licence is suspended under the impugned order without any notice and without hearing the petitioner. Learned counsel also states that the petitioner attributes that the said third party was planted by his business rivals to cause harm to him and that he has not

violated any conditions of the licence.

3. Even assuming that petitioner's contentions are correct, the petitioner has to approach respondent No.3 by filing a detailed explanation requesting him to reconsider the matter by showing that the suspension as ordered is not warranted on the facts of the case.

Since this Court does not normally interfere with the suspension pending enquiry in terms of the ratio laid down by the Full Bench of this Court in **TAPPERS CO-OPERATIVE SOCIETY v. SUPERINTENDENT OF EXCISE** writ petition is disposed of permitting the petitioner to file his explanation with reference to impugned order of suspension and on receipt of such explanation, respondent No.3 shall consider the same expeditiously and pass appropriate orders either continuing or revoking the suspension within a week from the date of receipt of explanation.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

April 17, 2015

LMV