

THE HON'BLE SRI JUSTICE SANJAY KUMAR

**WRIT PETITION NOs.20300, 20303,
20339, 20608 AND 20621 OF 2012**

DATED 22nd JUNE, 2015

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Between:

The Andhra Pradesh Wineries & Distilleries
Association and another

.. Petitioners

and

State of Andhra Pradesh, Department of
Prohibition Excise represented by its
Principal Secretary (Court & Excise)
Revenue Department and others

.. Respondents

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COMMON ORDER

The petitioners are common in this batch of cases. The first petitioner is the Andhra Pradesh Wineries and Distilleries Association, Hyderabad, while the second petitioner is Mr. M. Krishna, sole Proprietor of Kapitan Distilleries, Balanagar, Hyderabad, a member of the first petitioner association.

The challenge in these writ petitions was as to various clauses, including the definition of basic price, in the e-procurement notification dated 16.06.2012 issued by the Andhra Pradesh Beverages Corporation Limited, Hyderabad. The challenge was on the ground that the said clauses were illegal and contrary to the provisions of the Andhra Pradesh Excise Act, 1968, and the Rules framed thereunder.

Sri A. Santosh Kumar, learned standing counsel for the respondent corporation, states on instructions that the members of the first petitioner association, including the second petitioner, entered into rate contracts thereafter pursuant to the impugned notification and therefore, their challenge to the clauses thereof has become purely academic. He further states that the second petitioner in this batch of cases independently filed writ petitions in connection with the cost of the holographic labels collected by the respondent corporation.

In the light of the statement made by the learned standing counsel, this Court sees no purpose served in adjudicating these matters on merits.

As separate cases have been filed with regard to the other issue relating to holographic labels, these writ petitions are closed leaving it open to the second petitioner herein to address that issue independently in the separate writ petitions filed by him by raising all the points urged herein that may be relevant thereto. Interim orders, if any, shall stand vacated. Pending miscellaneous petitions shall also stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

22nd JUNE, 2015

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