

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.35395 of 2015

ORDER:

The grievance of the petitioner – concern was that the respondent authorities were interfering with its business in Jaggery and Black Jaggery and threatening to close it down.

Relying on the written instructions dated 12.11.2015 furnished by the Station House Officer, Prohibition & Excise Station, Mancherial, the learned Assistant Government Pleader for Excise informed this Court that the petitioner – concern's shop was not raided and no case had been booked against it. The Station House Officer denied the allegation that any steps were taken to close down the petitioner – concern's business or involve it in any false cases. He stated that according to the GUR (Regulation of Use) Order, 1968, notices were issued to the petitioner – concern and other Jaggery merchants of Mancherial Town enclosing the prescribed proforma to enable them to furnish the details of their transactions in Jaggery from 01.04.2015 onwards. He further stated that the Commissioner of Prohibition and Excise, under circulars dated 25.01.1997 and 06.11.2013, directed that excise officials not below the rank of Prohibition and Excise Inspector, should exercise powers under Sections 4 and 5 of the GUR (Regulation of Use) Order, 1968, in relation to seizure of Jaggery/Black Jaggery which is reasonably believed to be used in the manufacture of alcohol. He also stated that despite the notices issued, the petitioner – concern has not submitted any data relating to its transactions in Jaggery/Black Jaggery.

In the light of the aforesaid instructions, this Court is of the opinion that the petitioner – concern cannot complain of interference or harassment merely because the excise officials concerned require it to furnish periodic data in relation to its transactions in Jaggery. The petitioner – concern would necessarily have to submit such data in the prescribed format as required under law.

The writ petition is closed with the above observations.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J

Date:13.11.2015

GJ