

THE HON'BLE SRI JUSTICE SANJAY KUMAR

W.P.No.20795 of 2015

-

ORDER

This writ petition was filed assailing the action of the Excise Authorities in permitting the establishment of a shop in Ward Nos.22 and 28 adjacent to Lutheran High School ground without following Rule 25 of the Andhra Pradesh Excise (Grant of Licence of Selling by Shops and Conditions of Licence) Rules, 2012.

2. The Prohibition and Excise Superintendent, Bhimavaram, West Godavari District, filed a counter affidavit stating that as per the Excise Policy for the years 2015-17, 240 A4 shops in the Prohibition and Excise Unit of Bhimavaram were allotted. Out of these, 216 A4 shops were private shops and 24 A4 shops were Government outlets. The A4 shop bearing G.SI.No.247 was notified in Ward No.22 of Bhimavaram Municipality while another A4 shop bearing G.SI.No.248 was notified in Ward No.28 of Bhimavaram Municipality. He further stated that no application was received so far as the shop notified as G.SI.No.247 was concerned, while the A4 shop bearing G.SI.No.248 evoked 29 applications. The drawal of lots resulted in one Dhandu Kasi Yalaraju Varma being allotted the said shop. Upon his complying with the necessary formalities, a provisional licence was issued to him. The applicant established his A4 shop in Ward No.28 of Bhimavaram Municipality and was stated to be running his business.

3. It is significant to note that the said allottee of the shop in Ward No.28 of Bhimavaram Municipality was not impleaded in this writ petition.

4. The Prohibition and Excise Superintendent, Bhimavaram, further stated in his counter that the A4 shop in Ward No.28 was established in accordance with the Rules. He asserted that no A4 shop licence would be granted contrary to Rule 25 of the Andhra Pradesh Excise (Grant of Licence of Selling by Shops and Conditions of Licence) Rules, 2012 and reiterated that the existing premises of the A4 shop with G.Sl.No.248 in Ward No.28 was also in accordance with the said Rules.

5. In the light of the categorical statement made by the Prohibition and Excise Superintendent, Bhimavaram, West Godavari District, Sri K.V.L. Narasimha Rao, learned counsel for the petitioner states that the grievance of his client stands redressed.

6. Duly recording the stand of the Excise Authorities, the Writ Petition is closed.

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

SANJAY KUMAR, J

20th July, 2015

sj