

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.36905 of 2015

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that an order or direction or a Writ particularly one in the nature of Mandamus be issued directing the respondents to forbear from arresting or detaining the petitioner without following the procedure laid down by law, in the interest of justice and to pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case.”

The Prohibition and Excise Sub-Inspector (Enforcement), Prohibition and Excise Department, Hyderabad, filed a counter-affidavit stating that 23 cases, in total, were registered against the petitioner in the past four years in relation to sale of illicitly distilled liquor.

Though a reply-affidavit has been filed by the petitioner seeking to rebut the allegations leveled against him in the counter-affidavit, this Court cannot decide the truth or otherwise of the allegations made against the petitioner in the pending cases. It is for the petitioner to face those cases before the competent forum. In the event the petitioner's examination or interrogation is warranted in relation to any such offences, the excise authorities are bound to abide by the due procedure laid down by law.

Subject to the above observations, the writ petition is dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

17th March, 2016

Note:-

Issue CC in three days.

B/o

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