

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos. 34618 & 34699 of 2016

Date : 17.10.2016

WP No. 34618 of 2016

Between :

Smt Godha Vijaya W/o Venkateswarulu Goud

Aged about 45 years

R/o H No. 13-6-455/119 Heera Nagar

Gudimalkapur, Hyderabad

Petitioner

And

The State of Telangana

Rep by its Principal Secretary,

Prohibition and Excise Department,

Secretariat, Hyderabad and others

Respondents

The Court made the following:



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COMMON ORDER:

Petitioner in WP No. 34618 of 2016 is 5th respondent in WP No. 34699 of 2016. Sri A.Bhaskara Chari learned counsel appearing for petitioner in WP No. 34618 of 2016 takes notice for 5th respondent in WP No. 34699 of 2016. Since the parties and issue raised in these writ petitions are same, with the consent of learned counsel appearing for either side, the writ petitions are disposed of at the stage of admission.

Petitioner in WP No. 34618 of 2016 claims that she was granted license to operate Bar and Restaurant in the year 2012 and in terms thereon she has been operating the Bar and Restaurant. Said license was renewed for the year 2015-16. On 10.10.2016 petitioner submitted application for renewal but so far renewal is not granted. Challenging the inaction on the part of the respondents in not granting renewal writ petition is filed.

Petitioners in WP 34699 of 2016 claims that they are owners of the premises where petitioner in WP 34618 of 2016/5th respondent has established the Bar and Restaurant. Opposing the renewal of license to petitioner in WP 34618 of 2016, they claim to have submitted objections on 11.4.2016, 16.8.2016 and 5.10.2016 but so far objections are not considered and on the contrary respondent authorities are taking steps to grant licence to the petitioner in WP No. 34618 of 2016. Hence, they filed the writ petition.

Heard Sri A Bhaskara Chari learned counsel for petitioner in WP No.34618 of 2016 and 5th respondent in WP No. 34699 of 2016, Sri Suresh Siva Sagar learned counsel for petitioner in WP 34699 of 2016 and learned Assistant Government Pleader for Excise (TS) and with their consent, the writ petitions are disposed of with the directions as under:

- i) The Superintendent, Prohibition and Excise, Hyderabad shall consider the application filed by the petitioner in WP No. 34618 of 2016 and objections filed by petitioners in WP No. 34699 of 2016, fix a date for personal hearing with advance intimation to respective parties, hear the respective submissions, consider the relevant documents furnished and to pass appropriate orders as warranted by law. The entire exercise shall be completed within a period of four weeks from the date of receipt of copy of the orders.
- ii) Having regard to the peculiar facts of the case, till the decision is taken by Superintendent, Prohibition and Excise, Hyderabad, petitioner in WP 34618 of 2016 be permitted to operate the Bar and Restaurant subject to fulfillment of all other statutory requirements and payment of license fee for such period.
- iii) Both parties are directed to cooperate with Superintendent, Prohibition and Excise, Hyderabad in concluding the proceedings.

No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 17.10.2016
TVK

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