

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.5247 of 2016

ORDER:

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

“For the reasons stated in the affidavit filed herewith, it is prayed that it is prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction, preferably one in the nature of Writ of mandamus, declaring the action of the respondents 2 and 3 in not considering the representation of the petitioner dated 25.01.2016 requesting to refund the Fixed Deposit Receipt furnished by the petitioner for a sum of Rs.7,000/- as arbitrary, illegal and contrary to law and consequently direct the respondents to refund the said Fixed Deposit Receipt to the petitioner forthwith and pass such other or further orders as are necessary.”

The petitioner's representation dated 25.01.2016 is pending consideration before the Deputy Commissioner of Prohibition and Excise, Nalgonda, the 2nd respondent. As the authority concerned is yet to apply its mind to the said representation, this Court does not propose to entertain this writ petition for adjudication on merits.

The writ petition is accordingly disposed of directing the 2nd respondent to consider the petitioner's representation dated 25.01.2016 in accordance with law and take appropriate action thereon. In the event the petitioner's request for refund of the amount is rejected, the reasons therefor shall be recorded and duly communicated to it.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:09.03.2016

GJ