

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.37507 OF 2015

ORDER

The grievance of the petitioner in this case was with regard to the proceedings dated 04.11.2015 passed by the Commissioner of Prohibition and Excise, Andhra Pradesh, whereby his application for transfer of licence due to the death of the licensee, the petitioner's father, was rejected. Perusal of the impugned proceedings reflects that the reason for such rejection was that there was no unanimity amongst the family members with regard to the continuation of the licence given in the name of the petitioner's father.

It is now stated by Sri K.Rathangapani Reddy, learned counsel for the petitioner, and Sri K.Venkata Rao, learned counsel for respondents 5 and 6, the family members of the petitioner, being his mother and brother, that the matter has been compromised *inter se* and that the other family members have no objection to transfer of the licence in the name of the petitioner. Affidavits stating to this effect were filed by the fifth and sixth respondents independently.

In that view of the matter, the ground on which the petitioner's application was rejected under the impugned proceedings dated 04.11.2015 no longer survives as the family members have now reached unanimity. The impugned proceedings are accordingly set aside. It shall be open to the excise authorities to deal with the petitioner's application seeking transfer of the licence afresh in accordance with law.

The writ petition is allowed. Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

05th JANUARY, 2016

Note: Issue C.C. by day after tomorrow.

B/o PGS