

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.9658 OF 2016

ORDER

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

‘That this Hon’ble Court may be pleased to issue an appropriate writ, more particularly in the nature of Mandamus, declaring the Event Permit granted by 3rd Respondent in respect of Wedding Reception of the Petitioner’s son does not fall within the purview of the notification dated 21st March, 2016 bearing Rc. No.M1/Cyb/68/2015-16 issued by 4th respondent (issued under Sec.20(1) of AP Excise Act, 1968 and consequently direct the Respondents not to interfere with the serving of liquor in terms of Event Permit license no. 1494 dated 11-3-2016 to the guests of wedding reception of petitioner’s son to be held on 22nd March, 2016 at JRC Conventions and Trade Fairs situated at Sy.No. 4 Plot No.6-7/1 Raidarga, Sarilingampally, R.R. District from 7.00 PM to 12.00 PM, and to pass such other order or orders in the interest of justice.’

Learned Assistant Government Pleader for Excise stated that though permission was granted to the petitioner under proceedings dated 11.03.2016 of the Prohibition and Excise Superintendent, Rajendernagar, R.R.District, to serve liquor during the reception to be held at JRC Convention Centre at Raidurgam, Serilingampally, in the light of the notification dated 21.03.2016 issued by the Commissioner of Police, Cyberabad, that toddy and wine shops, including bars attached to restaurants (excluding bars in star hotels) should remain closed from 1800 hours on 22.03.2016 to 0600 hours on 24.03.2016 in the jurisdiction of Cyberabad Police Commissionerate owing to Holi festival, the permission given to the petitioner would be withdrawn.

This Court is of the opinion that having granted permission to the petitioner to serve liquor during the reception ceremony to be held at a private function hall, it is not open to the authorities to widen the scope of the notification dated 21.03.2016, which is not even an absolute ban but

only applies to toddy and wine shops and bars attached to restaurants, so as to restrain the petitioner from serving liquor during a private reception ceremony.

Further, as it is stated that the permission granted under the proceedings dated 11.03.2016 has not yet been withdrawn, such withdrawal cannot be effected at the 11th hour without even putting the petitioner on notice.

The excise authorities shall therefore permit serving of liquor during the reception ceremony at JRC Convention Centre, Raidurgam, Serilingampally, in accordance with the permission granted under proceedings dated 11.03.2016.

The writ petition is allowed. Pending miscellaneous petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

22nd MARCH, 2016

Note: Issue C.C. today.
B/o Svv