

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.7806 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the order and show cause notice of the 4th respondent issued in Rc.No.A4/60/2016, dt.5.3.2016 as illegal, arbitrary and in violation of principles of natural justice and pass such other or further orders as the Hon'ble Court feels deem fit and proper in the facts and circumstances of the case.”

By the Order of Suspension of Licence dated 05.03.2016, the Prohibition and Excise Superintendent, Amalapuram, suspended the A4 shop licence of the petitioner pending enquiry. On the same date, a separate show-cause notice proposing cancellation of the licence was also issued.

As the authority concerned is yet to look into the matter and the petitioner has also been given an opportunity to put forth his stand in response to the show-cause notice, this Court does not deem it appropriate to interfere on merits at this stage.

The writ petition is accordingly disposed of directing the excise authorities to complete the enquiry pursuant to the show-cause notice issued on 05.03.2016 expeditiously and in any event, not later than one month from the date of receipt of a copy of this order. In the event the petitioner files any application seeking to compound the offence alleged against him and if such compounding is permissible as per Rules, the excise authorities shall duly take such application also into account and take appropriate action thereon in accordance with law.

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

10th March, 2016
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JUSTICE SANJAY KUMAR