

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34789 of 2016

ORDER:

This writ petition is filed for a writ of *mandamus* to declare the action of the 1st respondent – Commissioner of Police, Hyderabad City, Hyderabad, in issuing proceedings, dated 19.08.2016, canceling the No Objection Certificate (NOC) of the shops of the petitioners, as illegal and arbitrary and consequently, set aside the said proceedings and direct the respondents not to interfere with the business of the petitioners in selling the fireworks in the respective shops.

Heard and perused the material available on record.

The case of the petitioners is that they are sub-lessees of Sri Krupa Market (Mahabob Mansion), Malakpet, Hyderabad, for a period of 99 years and they obtained NOC from the 1st respondent way back in the year 1990 upto the year 1999 for conducting wholesale and retail business of Diwali Fireworks and basing on the same, they also obtained Form-24 explosive licence. The grievance of the petitioners is that the 1st respondent has cancelled the NOCs vide proceedings, dated 19.08.2016. Aggrieved by the same, they filed appeals along with applications seeking interim orders, pending the appeals, before the 4th respondent, but the 4th respondent has not passed any interim orders. Further, it is the case of the petitioners that in view of Deewali festival, they have already placed orders by paying huge amounts, and therefore, they filed the present writ petition.

Considering the grievance of the petitioners, without going into the merits of the case, this Court is inclined to pass the following order:

The proceedings, dated 19.08.2016, issued by the 1st respondent – Commissioner of Police, Hyderabad City, Hyderabad, is hereby stayed for a period of one month from today. The 4th respondent is directed to dispose of the appeals, filed by the petitioners, within a period of one month from today, without being influenced by the order of stay, granted by this Court.

Accordingly, the Writ Petition is disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

RAJA ELANGO, J

October 18, 2016
KTL

