

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.33800 of 2016

ORDER:

Heard Mr. C. Ramachandra Raju for petitioners and Mr. Peri Prabhakar for respondents.

2. The petitioners challenge proceeding No.B/C/ 79/Stand Alone AVM No.17/BZA/PF.10 dated 12.09.2016 as illegal, without jurisdiction and liable to be set aside.

3. This Court is not examining the case of petitioners on merits for the simple reason that the petitioners vide representations dated 16.08.2016 and 27.09.2016 have set out the circumstances under which the licensee could not start doing business and further stated that the petitioners are still interested in proceeding with the agreement entered between the petitioners and respondents for the period from 05.01.2016 till 04.01.2021. The further objection of petitioners is that the termination is not effected by the authority, who is competent in this behalf.

4. Mr. Peri Prabhakar, though opposes the writ prayer on the ground that it is a case of termination simplicitor of license granted in favour of petitioners, submits that the petitioners can certainly work out remedies in accordance with law.

5. I have perused the material available on record and taken note of the respective submissions. It appears to this Court that the consideration by the competent authority of the request made by

petitioners would have certainly avoided both the impasse existing in the performance of the license and also the issuance of termination letter dated 12.09.2016 challenged in the writ petition. I am satisfied, to meet the ends of justice and to avoid further delay in the matter, the respondents are directed to consider these representations without reference to the termination order dated 12.09.2016 and do the needful in the matter or pass order as is warranted in the facts and circumstances of this case within two (2) weeks from today.

The writ petition is ordered as indicated above. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

September 30, 2016
DSK



S. V. BHATT, J