

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.14527 OF 2010

ORDER:

The petitioner is a Bar & Restaurant, which was running under valid excise licence issued by the Excise Authorities. It also obtained police licence from the respondent and it was renewed up to 31-12-2006. When an application for renewal of licence was filed on 17-11-2006, the same was not disposed of. However, the petitioner has been running Bar & Restaurant. When there was interference from the 4th respondent during the pendency of the application for renewal of the licence, the present writ petition is filed.

2. This Court vide order, dated 25-06-2010, directed the respondents not to interfere with the business activities of the petitioner provided the same is conducted in accordance with law as per Rule 15 of the Rules made under G.O.Ms.No.997, Revenue (Ex.II) Department, dated 24-05-2005.

3. The 4th respondent-Inspector of Police, Osmania University Police Station filed counter-affidavit stating that the application has to be filed for entertainment licence with requisite documents. After receipt of the said application, the same would be forwarded to the Assistant Commissioner of Police of Law and Order and Traffic Wings for enquiry/inspection and report. Thereafter, the Assistant Commissioner of Police will inspect the premises and verify whether the management has provided parking place as per G.O.Ms.No.86 of M A & UD, Department, dated

03-03-2006. The procedure was provided in Hyderabad and Secunderabad (Amusement) Rules, 1955 for obtaining licence as per Section 21 (i) (g) of the Hyderabad City Police Act and the rules made thereunder. As per Rule 2 (c), the Commissioner of Police, Hyderabad, is the licensing authority. Further G.O.Ms.No.129, Home (Legal II) Department, dated 02-07-2015 provides for certain restrictions. The records of the office of the Assistant Commissioner of Police, Kachiguda Division, revealed that no application for renewal of the licence was filed by the petitioner.

4. In the absence of any proof of filing an application seeking renewal of licence contradicting the averments made in the counter-

affidavit, this Court is not inclined to entertain the writ petition. However, it is open to the petitioner to make a fresh application seeking entertainment licence in accordance with law.

5. Subject to the above observation, the writ petition is dismissed. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 21-04-2016

Hsd