

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.8538 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Mandamus declaring the inaction of the respondents no. 2 and 3 in not acting upon the complaint dated 30.01.2016 made by the petitioners against the respondent no. 4 as illegal, arbitrary, against all principle of natural justice and fair play and consequently direct the respondents no. 2 and 3 to take appropriate action as per law against the respondent no. 4 for providing forged rental agreements for renewing the excise license No. 636 dated 04.06.2012 from the year 2012 to 2015 and may pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It appears that the petitioners have already made a complaint on 30.01.2016 to the excise authorities setting out their grievance. As the excise authorities are yet to act upon the complaint made by the petitioners, this Court does not propose to entertain this writ petition at this stage for adjudication on merits.

As this Court does not propose to adjudicate any of the issues raised in this writ petition on merits, it is not necessary to put the 4th respondent on notice.

It is for the authorities concerned to apply their mind to the complaint dated 30.01.2016 made by the petitioners and take appropriate action thereon, if warranted, in accordance with law. In the course of such exercise, the excise authorities are bound to give due notice and opportunity of hearing to the 4th respondent. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of.

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

JUSTICE SANJAY KUMAR

Date:16.03.2016

GJ