

HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.890 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed assailing the action of the respondents in entertaining the request of the fifth respondent for establishment of another A4 shop at a premises adjacent to the A4 shop of the petitioner by means of shifting it from its present place to a place, which is adjacent to A4 shop of the petitioner.

2. At the hearing, learned counsel for the petitioner submits that having come to know about the said request of the fifth respondent, which is under consideration with the second respondent, the petitioner submitted a representation, dated 29.12.2017, to the second respondent to consider its objections and therefore, if a direction is given to the second respondent to consider the objections of the petitioner, in accordance with procedure established by law, before taking a decision on the request of the fifth respondent with regard to shifting of its A4 shop, the grievance of the petitioner would be redressed.

3. Learned Government Pleader for Prohibition and Excise appearing for respondents 1 to 4 endorses the said submission.

4. Recording the submissions, the writ petition is disposed of directing the second respondent to consider the objections of the petitioner before taking a decision, independently in his discretion and in accordance with procedure established by law, on the request of the fifth respondent for shifting of its A4 shop.

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

M. SEETHARAMA MURTI, J

Date: 05.01.2018
Note: Issue CC tomorrow
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