

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34133 of 2017

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Prohibition & Excise.

The Prohibition & Excise Superintendent, Ongole-fourth respondent herein issued a notification, dated 24.03.2017, inviting applications for grant of licence to sell Indian Made Foreign Liquor by shop under Rule 5 of the Andhra Pradesh Excise (Grant of Licence of Selling by Shop and Conditions of licence) Rules, 2012.

According to the petitioner, she submitted an application for shop No.85 for the licence period commencing from 01.07.2017 to 30.06.2019. The respondents herein intimated the selection of the petitioner herein for the said shop on 31.03.2017. It is stated in the writ affidavit that the petitioner herein selected the premises bearing No.8-9, Devangapuri Panchayat (Jandrapeta), Chirala Mandal, Prakasam District, belonging to one Sri Pennam Balasubrahmanyam, and had given blue print of the premises together with rental agreement to the fifth respondent for inspection and approval of the location. According to the petitioner, on the objections raised by the nearby wine shop owners, the fourth respondent did not grant

any approval for the premises chosen by the petitioner herein. It is submitted by the learned counsel for the petitioner that, once there is compliance of all the statutory requirements of law, as provided under the Andhra Pradesh Excise Act, 1968 and the Rules framed thereunder, it is obligatory on the part of the respondent authorities to pass orders so as to enable the petitioner herein to carry on the business.

Having heard the learned counsel for the petitioner and the learned Government Pleader, and, since the issue is pending consideration before the fourth respondent, this Court deems it appropriate to dispose of the present Writ Petition with a direction to the Prohibition & Excise Superintendent-fourth respondent herein to pass appropriate orders on the application of the petitioner herein for grant of licence for shop No.85, strictly in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. Consequently, miscellaneous petitions, if any pending in this Writ Petition shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

20th October, 2017

Tsy