

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**

**WPMP No. 35113 of 2017
and
Writ Petition No. 7270 of 2016**

Common Order: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

Sri S. Srinivas Reddy, learned counsel for the petitioners, would fairly state that, except for the petitioner's claim for refund of the licence fee deposited by them of Rs.25.00 lakhs, the cause in the Writ Petition does not survive necessitating any further adjudication by this Court. According to the learned counsel, the petitioners have deposited Rs.25.00 lakhs for grant of licence fee for the year 2016; despite the interim order of this Court, no licence was granted; the period for which licence was sought has also expired; since the petitioners were not granted a licence, the respondents are obligated to refund the amount of Rs.25.00 lakhs deposited by them; and a direction should be issued to the respondents to do so.

Learned Government Pleader for Excise expresses ignorance whether or not the petitioners have deposited Rs.25.00 lakhs; and whether the petitioners are entitled for refund.

Instead of keeping the Writ Petition pending on the file of this Court, it would suffice if the petitioners are permitted to make a representation to the Commissioner for Prohibition & Excise within two weeks from today seeking refund of the licence fee of Rs.25.00 lakhs which they claim to have deposited in the year 2016. On any such representation being made, the Commissioner for Prohibition & Excise shall examine the said representation and pass a reasoned order thereupon in accordance with law within four weeks from the date of receipt of the representation.

The Writ Petition is, accordingly, disposed of. WPMP No. 35113 of 2017 seeking refund of Rs.25.00 lakhs is also disposed of. The other miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(KONGARA VIJAYA LAKSHMI, J)

5th February, 2018

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