

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.4155 OF 2018

ORDER :

Petitioner in this Writ Petition has assailed a show-cause notice dt.07.12.2015 issued by the 3rd respondent proposing to cancel the license granted to the petitioner for running a bar and restaurant in Vijayawada.

2. Along with the counter affidavit filed on 07.03.2018, the respondents have placed on record the final order dt.19.12.2015 allegedly passed by the 3rd respondent.

3. Petitioner claims that an explanation to the said show cause notice dt.07.12.2015 was filed on 12.12.2015 but since the same has not been acknowledged, copy of it was sent by RPAD to 3rd respondent on 24.12.2015.

4. Counsel for petitioner contends that the order allegedly passed on 19.12.2015 has not been served on the petitioner.

5. Since the issue relates to the year December, 2015 and since the final order dt.19.12.2015 passed by 3rd respondent is not shown to have been served by RPAD on the petitioner, and the petitioner denies service of the said order, petitioner is granted liberty to file an appeal against the said order dt.19.12.2015. It is declared that the said order is served on the petitioner only on 07.03.2018, the date on which counter affidavit has been filed in this Writ Petition by the respondents. If any appeal is filed by the petitioner against the order

dt.19.12.2015 passed by the 3rd respondent, the concerned Appellate Authority shall entertain the appeal treating the said order dt.19.12.2015 passed by the 3rd respondent as having been served on the petitioner only on 07.03.2018; and the said appeal shall be disposed of within a period of six (06) weeks of its filing after giving notice to the petitioner in accordance with law.

6. The Writ Petition is disposed of as above and the interim order granted earlier on 09.02.2018 is vacated. No order as to costs.

7. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

27th March, 2018.
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M.S. RAMACHANDRA RAO, J

