

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO.20803 of 2015

ORDER:

This writ petition is filed to declare the action of the respondents in permitting 'A4 shop' (Liquor Shop) at the premises bearing D.No.42-3-3/1, Saravarna Family Restaurant , Alluri Sitharamaraju Circle, Ramakrishnapuram, Vijayawada, Division No.53 of Vijayawada Municipal Corporation as illegal and arbitrary.

The case of the petitioners is that, they along with other residents of Ramakrishnapuram represented to the 3rd and 4th respondents bringing to their notice their objection against setting up a liquor shop in Ramakrishnapuram area as it is totally a residential locality and till date no liquor shop is established in the said division.

Counter affidavit has been filed by the 4th respondent stating that the petitioners are none other than the persons inducted by restaurant and bar situated besides the Bezawada Wines; the averment that there is no liquor shop in the said division shows that they are supporting restaurant and bar which was established a decade back and running as on today; the petitioners have not made any whisper about the existence of a bar in Alluri Seetharamaraju Circle and that the said premises is located in a commercial area abutting to the main road and there are no other commercial establishments on the road.

Bezawada Wines filed implead petition seeking impleadment as 6th respondent in the writ petition and the same is ordered. In the affidavit

filed seeking impleadment, it is stated that the petitioners are none other than the persons inducted by M/s. Sri Devi Restaurant & Bar situated besides Bezawada Wines and that the allotment made is in conformity with Rule-25 of A.P. Excise (Grant of License of Selling by Shop Conditions of License) Rules, 2012.

Heard the learned counsel for the petitioners and the learned counsel for the 6th respondent.

Learned counsel for the 6th respondent/Bezawada Wines submits that the period of license has expired on 30.6.2017 and that the 6th respondent is not doing any business in the said premises.

As the period of license is already over and as the 6th respondent is not running any business in the subject premises, no further orders are necessary in the writ petition.

Accordingly, the Writ Petition is closed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Date: 29/11/2018

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