

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

Writ Appeal No. 344 of 2018

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

Both Sri O. Manohar Reddy, learned counsel for the appellant-writ petitioner, and the learned Government Pleader for Prohibition and Excise, would agree that the subject matter of this Writ Appeal is covered by the order passed by us in W.A. No. 280 of 2018 dated 26.2.2018. Sri O. Manohar Reddy, learned counsel for the appellant-writ petitioner, would, however, submit that though the six weeks period, for which the licence was suspended by the learned Single Judge in the order under appeal, expired on 27.2.2018, the respondents are not permitting the appellant-writ petitioner to carry on business.

This appeal is preferred not by the respondents in the Writ Petition, but by the appellants who are aggrieved by the order of the learned Single Judge directing suspension of the license, pending enquiry, for a period of six weeks. Dismissal of the appeal, preferred against the order of the Learned Single Judge in W.P. No. 1405 of 2018 dated 8.2.2018 would only result in the order of the learned Single Judge being affirmed, which would only mean that the order of suspension pending enquiry would be confined only for a period of six weeks. It has not been disputed before us that this six week period of suspension expired on 27.2.2018. The appellant-writ petitioner is entitled, thereafter, to carry on business in their A4 shop subject, however, to the result of the enquiry pending against him.

Suffice it to direct the respondents to permit the appellant-writ petitioner to carry on their business, as the six weeks suspension

period expired by 27.2.2018, subject to the result of the enquiry being held against him. It is made clear that neither the order passed by the learned Single judge, nor the order now passed by us, shall disable the respondents from completing the enquiry and, thereafter, from taking action under Section 31 of the A.P. Excise Act, 1968 and in accordance with law.

The Writ Appeal is disposed of accordingly. 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)

6th March, 2018

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Date: 6.3.2018

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