

THE HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No. 35568 OF 2013

ORDER:

This Writ Petition is filed questioning the inaction of respondent Nos. 1 and 2 in considering the application of the petitioner dated 13-11-2013 for not to transfer the license of respondent No. 3 to third persons.

2. The case of the petitioner is that respondent No. 3 has got license to run Bar and Restaurant in the name of Fishermen Bar and Restaurant; that respondent No. 3 availed loan from the petitioner on the promise that he will join the petitioner in his business but respondent No. 3 failed in his promise and hence, he submitted a representation to the official respondents to take action.

3. Heard learned counsel for the petitioner and learned Government Pleader for the official respondents.

4. It is stated in the affidavit of the petitioner filed along with the Writ Petition that he filed suit O.S.No. 1380 of 2013 on the file of the Court of SC & ST District Judge, R.R. District at L.B. Nagar, against respondent No. 3 for recovery of money and the said suit is pending.

5. As the petitioner has already filed suit against respondent No. 3 for recovery of amount, he cannot now ask for transfer of license in his favour for the amount lent to respondent No. 3 and therefore the Writ Petition is not maintainable.

6. Hence, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand dismissed in consequence.

KONGARA VIJAYA LAKSHMI, J.

05-12-2018
JSK

