

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION NO.12610 OF 2018

ORDER:

When the matter is taken up, a preliminary objection as to the maintainability of the Writ Petition is taken up by the learned Government Pleader for Prohibition and Excise and also Sri N.Siva Reddy, learned counsel for the ninth respondent that in the month of October, 2017, the Deputy Commissioner granted license in favour of the petitioners herein as per the Rules and if the petitioners herein are aggrieved by the said order, they are entitled to file a statutory appeal under the provisions of Section 63 of the A.P. Excise Act ("the Act" for brevity) before the Commissioner. It is also brought to the notice of this Court during the hearing earlier ninth respondent approached this Court by way of filing WP.No.4834 of 2018 and this Court disposed of the said Writ Petition on 19.03.2018, directing the officials respondents herein not to cause interference with the smooth conduct of the business of the petitioner while keeping it open to the respondents to take action in accordance with the procedure established by law.

In view of availability of the said alternative remedy of appeal and keeping in view the orders passed by this Court in the earlier Writ Petition i.e. WP.No.4834 of 2018 dated 19.03.2018 filed by the ninth respondent, this Court is not inclined to grant any relief in the present Writ Petition. However, it is open for the petitioners to avail the remedy of appeal under Section 63 of the Act. If any such appeal is filed, the appellate authority shall consider the same and pass orders in accordance with law.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.V.SESHA SAI, J)

7th June 2018
RRB

