

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.25992 of 2018

ORDER:

Heard learned Counsel for the petitioner and the learned Government Pleader for respondents.

Followed by a show cause notice, dated 26.06.2018 and submission of explanation by the petitioner on 06.07.2018, the Prohibition and Excise Superintendent, Chittoor/R.3 passed an Order vide Rc.No.206/2018/A1, dated 18.07.2018, keeping the A4-license of the petitioner under suspension pending investigation by virtue of the powers under Section 31(1)(b) of the A.P.Excise Act, 1968.

According to the learned Counsel for the petitioner, the impugned action is highly illegal, arbitrary and unreasonable besides being opposed to the very spirit and object of the provisions of the A.P.Excise Act and the Rules framed there under. In elaboration, it is further contended that the 3rd respondent did not properly consider the explanation offered by the petitioner herein and had the contents of the explanation been considered from proper perspective, the order impugned in the Writ Petition would not have emanated.

Having heard the learned Counsel for the petitioner and the learned Government Pleader, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the Prohibition and Excise Superintendent, Chittoor/R.3 to conclude the enquiry pursuant to the impugned Order, dated 18.07.2018, and to pass final orders within a period of three weeks from the date of receipt of a copy of this Order. It is also made clear that in the event of

failure on the part of the 3rd respondent in finalizing the enquiry and passing Orders, as indicated supra, the petitioner herein shall be permitted to carry on the business.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE A.V.SESHA SAI

Date :09.08.2018
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