

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.46932 of 2018

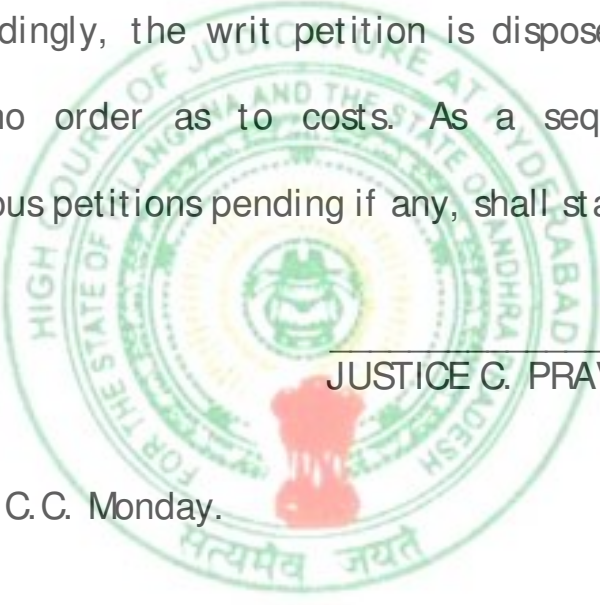
ORDER:

- 1) Heard learned counsel for the petitioner and learned Government Pleader for Prohibition and Excise, appearing for respondents.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the order of the third respondent passed in Pc.No.591/2018/ A2 dated 19.12.2018, as illegal, arbitrary and violative of principles of natural justice.
- 3) At the time when the matter is taken up for hearing learned Government Pleader for Prohibition and Excise, on instructions states that this is first offence and the licence is suspended as a measure of punishment.
- 4) It is to be noted here that pursuant to the show cause notice issued, the petitioner submitted his explanation. After submitting his explanation to the show cause notice, the impugned order of suspension came to be passed for indefinite period. The suspension of licence for indefinite period, would be contrary to the ratio laid down by the Full

Bench Judgment of this Court in *Tappers Cooperative Society, Maddur v. Superintendent of Excise, Mahabubnagar*¹. As a measure of punishment, suspension can only be for a limited period.

5) Having regard to the above, the order under challenge is set aside, leaving it open to the authorities to take steps in accordance with law.

6) Accordingly, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions pending if any, shall stand closed.



JUSTICE C. PRAVEEN KUMAR

28.12.2018

Note: Issue C.C. Monday.

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¹ (1984) 2 APLJ Page 1