

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**W.P.No.1785 of 2019**

**ORDER**

The petitioner challenges the order dated 01.10.2018 passed by the 2<sup>nd</sup> respondent-Commissioner, pursuant to the orders of this Court passed in W.P.No.26609 of 2017 dated 09.08.2017.

2. Petitioner asserts that he made application for grant of B-2 Bar licence in the name and style of 'Jai Darbar Maisamma Restaurant and Bar' in the premises bearing H.No.13-6-830/A/8/9, situated at Ramsinghpura, Karwan, Hyderabad, however, the same was rejected by the 3<sup>rd</sup> respondent on the ground that in terms of Rule 6(1)(a) of Telangana State Excise (Grant of Selling by Bar and Conditions of Licence) Rules, 2005, the premises shall have a minimum plinth area of 150 sq. metres, out of which a minimum of 100 sq. metres shall be in RCC roof structure . Aggrieved by the same, he preferred appeal before the 2<sup>nd</sup> respondent-Commissioner and the same was rejected on the ground that the proposed premises is situated within 96 metres from the educational institution, which is against Rule 6 of Bar Rules, 2005. Petitioner contends that without considering the report of the 5<sup>th</sup> respondent that the said premises is situated within 100 meters from the educational institution and without affording any opportunity to the petitioner, the 2<sup>nd</sup> respondent passed the impugned order.

3. Having regard to the facts and circumstances and as this Court cannot sit as an appellate authority over the findings of both

the authorities, I am not inclined to interfere with the impugned orders of rejection.

4. Hence, the Writ Petition is dismissed. However, the petitioner is at liberty to find out an alternative place and approach the authorities concerned in accordance with law, if so advised. No order as to costs. Miscellaneous petitions, if any pending in this writ petition, shall stand dismissed.

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**CHALLA KODANDA RAM, J**

31<sup>st</sup> January, 2019

sj