

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.19926 of 2019

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Prohibition and Excise and Sri Md.Murtaza Ali Faruqui, learned counsel appearing for the 6th respondent.

2. The petitioner asserts that she is the absolute owner and possessor of house premises bearing Door No.12-2-565/A/1 situated at Guddimalkalpur, Mehdipatnam, wherein the 6th respondent is running a Bar and Restaurant under the name and style of 'Jai Lakshmi Narsimha Restaurant and Bar'. She further asserts that the 6th respondent had suffered a judgment and decree, dated 04.01.2019, in O.S.No.857 of 2016 on the file of the XIV Additional Chief Judge (FTC), City Civil Court, Hyderabad, whereby the learned Judge directed the 6th respondent herein to vacate the suit schedule property. Thereafter, the 6th respondent filed an appeal before this Court in C.C.C.A.No.89 of 2019 along with a stay petition. On 11.03.2019, this Court granted interim stay. Aggrieved thereby, a vacate stay petition was filed and the said vacate petition was reserved for orders.

3. Learned counsel appearing for the petitioner would submit that this Court allowed the said vacate stay petition *vide* order dated 13.09.2019 by vacating the interim stay granted on 11.03.2019.

4. On the other hand, learned counsel appearing for the 6th respondent submits that the renewal of the Bar license would expire

on 30.09.2019 and there is a valid consent and lease with respect to the subject property. He therefore asserts that the writ itself is a premature and it is for the authorities concerned to consider the request of the 6th respondent for renewal of the license.

5. Learned Government Pleader would fairly submit that as and when an application is made by the 6th respondent for renewal of the license, the petitioner can raise her objections and the same would be considered.

6. In the light of the afore-stated submissions, as the 6th respondent is yet to make an application for renewal of the license, this Court is of the opinion that at this stage no order need be passed in this writ petition.

7. However, in the facts and circumstances of the case, liberty is given to the petitioner to raise objections, if any, in case the 6th respondent files any representation as regards renewal of license.

8. The writ petition is disposed of with the above observation.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

CHALLA KODANDA RAM , J

16th September 2019

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