

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

W.P.No.27849 of 2019

ORDER:

Heard.

Though the impugned notice dated 06.07.2019 is headed as notice, there is a direction to pay the dues for the years 2016-17, 2017-18 and 2018-19 as per the annexure enclosed within 15 days. The application made by the petitioner was not considered, but for the reasons stated in the notice regarding arrears, due to afflux of time, the respondents are withholding license on the ground that as on 01.10.2019 the petitioner is not holding license, the question of renewal does not arise, virtually it amounts to fresh license. On the face of it, it appears that it is unilateral decision and the same is arbitrary, illegal and violation of principles of natural justice.

In view of the same, this writ petition is allowed setting aside the notice dated 06.07.2019. However, the respondents are at liberty to issue fresh notice, in accordance with law by passing speaking order in so far as the recovery is concerned. However, the application made by the petitioner seeking renewal shall not be linked up with regard to the arrears since both the actions are different in its nature. The respondents are directed to consider the application of the petitioner for renewal without link up to the arrears and amounts, which are referred in the impugned notice dated 06.07.2019 within one week from the date of receipt of a copy of this order.

Miscellaneous Petitions, if any, shall stand closed.

T.AMARNATH GOUD,J

Dated 13.12.2019
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