

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 1179 OF 2016

Between:

M/s.NIKITHA RESTAURANT AND BAR, Premises bearing No.12-2-622/A/1,
Rethi Bowli Road, Mehdiapatnam, Hyderabad Represented by SRI C.RAM
KUMAR, S/o C.SATHAIAH, Aged about: 48 years, Occ: Business, R/o. 12-2-822,
Venkanna Nagar, Rethibowli, Mehdiapatnam, Hyderabad.

...PETITIONER

AND

1. THE STATE OF TELANGANA, Represented by its Principal Secretary
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2. THE COMMISSIONER OF PROHIBITION AND EXCISE, Telangana State, at
Excise Bhavan, J.N.Road, Hyderabad.
3. THE SUPERINTENDENT OF PROHIBITION AND EXCISE, At Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondent No.3 in issuing the Proceedings Dated 28.12.2015 in Cr.No.B1/675/2015/ESH directing the Petitioner to select another suitable place immediately to shift the 2B Bar in respect of Petitioner 2B Bar Bearing Licence No.98/2006-2007 which was renewed from time to time and finally renewed on 22.07.2015 in File No.B2/439/2015/P and ES as illegal, arbitrary, unjust and violative of norms stipulated under A.P.Excise Act, 1968 and Rules there under and consequently to set-aside the impugned proceedings of the respondent No.3.

I.A. NO: 1 OF 2016(WPMP. NO: 1470 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to SUSPEND the Proceedings Dated 28.12.2015 in Cr.No. B1/675/2015/ESH issued by the Respondent No.3 in respect of Petitioner 2B Bar Bearing Licence No.98/2006-2007 which was renewed from time to time and finally renewed on 22.07.2015 in File No.B2/439/2015/P and ES pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI. RESU MAHENDER REDDY, SRI. K. AKHIL REDDY

Counsel for the Respondents: GP FOR PROHIBITION and EXCISE

The Court made the following: ORDER.

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.1179 of 2016

ORDER:

Sri K.Akhil Reddy, learned counsel representing Sri Resu Mahender Reddy, learned counsel appearing for the petitioner, submits that the cause in the Writ Petition does not survive for adjudication by this Court any further, and thus, this Writ Petition has become infructuous.

2. Recording the said submission, this Writ Petition is dismissed as infructuous. No order as to costs.

3. Consequently, miscellaneous petitions pending, if any, shall stand closed.

**SD/-M.MANJULA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. RESU MAHENDER REDDY, Advocate [OPUC]
2. Two CCs to GP FOR PROHIBITION and EXCISE, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CD Copies
4. One Spare Copy

PB

MMA

HIGH COURT

DATED: 20/04/2022

ORDER

WP.No.1179 of 2016



DSMISSING OF THE WRIT PEITITON
AS INFRUCTUOUS
WITHOUT COSTS

ATM - 6
18/6/2022