

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

**MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 5707 OF 2016

Between:

M/s.Raja Restaurant and Bar, IL-IIB licensee, premises bearing No. 9-1-29/1 and 9-1-20/A/1, Ground Floor at Langar House, Hyderabad, represented by Dhanraj Singh S/o.Lakhan Lal, aged about 49 years, Occ: Business, R/o. H.No.13-2-270/A/4, Upper Dhoolpet, 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, Excise Bhavan, Opp: Exhibition Grounds Nampally, Hyderabad.
3. The Prohibition and Excise Superintendent 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 a writ, order or direction, particularly one in the nature of Writ of Mandamus, declaring the proceedings in Cr.No.B1/675/2015/Esh. dt. 28.12.2015 passed by the 3rd respondent whereby directing the petitioner to shift the business premises of the petitioner i.e., M/s.Raja Restaurant and Bar at premises No. 9-1-29/1 and 9-1-20/A/1, Ground Floor, Langar House, Hyderabad to 100 meters away from the nearest and end point of National Highway /State High Way, as illegal, arbitrary and violative of provisions of A.P.Excise Act and Rules made thereunder, and consequently to set aside the afore said order,

I.A. NO: 1 OF 2016(WPMP. NO: 7262 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 in Cr. No. B1/675/2015/Esh dated 28-12-2015 passed by the 3rd respondent, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI. A PRABHAKAR RAO

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. 5707 of 2016

ORDER:

Learned counsel for the petitioner submits that the cause in the Writ Petition does not survive any further for consideration by this Court and thus, the 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**

SECTION OFFICER

//TRUE COPY//

To,

1. One CC to SRI. A PRABHAKAR RAO, 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: 25/04/2022

ORDER

WP.No.5707 of 2016



DISMISSING OF THE WRIT PETITION
AS INFRUCTUOUS
WITHOUT COSTS

⑥
MA
15/6/22