

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

FRIDAY, THE TWENTY EIGHTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY TWO

:PRESENT:

**THE HONOURABLE SRI JUSTICE D RAMESH
WRIT PETITION NO: 34972 OF 2022**



Between:

P.Raja Reddy, S/o. P.Nagi Reddy, Aged about 38 years, Occ. Business Licensee of Sri Sagar Restaurant and Bar, - Anantapuramu Municipal Corporation, Anantapuramu, Anantapuramu District.

Petitioner

AND

1. The State of Andhra Pradesh, Revenue (Excise) Department, Secretariat, Velagapudi, Amaravathi, Guntur District. Rep. by its Principal Secretary.
2. The Commissioner of Prohibition and Excise, Government of Andhra Pradesh at Vijayawada, Krishna District.
3. The Deputy Commissioner of Prohibition and Excise, Kurnool.
4. The District Prohibition and Excise Officer, Anantapuramu, Anantapuramu District.
5. B.Srinivasulu, S/o B.Sree Ramulu, R/o. Kovur Nagar, Anantapuramu, Anantapuramu District.
6. V.Venkata Rami Reddy, S/o. V.Ramakrishna Reddy, R/ o. Suryanagar, Anantapuramu, Anantapuramu District.

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 of mandamus or any other appropriate writ or direction declaring the proceedings of the 2nd respondent issued in CR.No.16026/2/2022/CPE/F3 dated 27.10.2022 as illegal, arbitrary and contrary to Proviso to Rule 22 of the AP Excise (Lease of Right of Selling by Bar, Grant and Conditions of License) Rules, 2022 and consequently direct the respondents not to grant permission for establishment of the Bars in Ward No.40 of Anantapuramu Town, Anantapuramu District.

IA NO: 1 OF 2022

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 stay the order of the 2nd respondent issued in CR.No.16026/2/2022/CPE/F3 dated 27.10.2022, pending disposal of WP No. 34972 of 2022, on the file of the High Court.

IA NO: 2 OF 2022

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 direct the 3rd and 4th respondents not to grant license to the 5th and 6th respondents for establishment of Bars in Ward No.40 of Anantapuramu Town, Anantapuramu District, pending disposal of WP No. 34972 of 2022, on the file of the High Court.

and the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri OMR LAW FIRM Advocate for the Petitioner and GP for Revenue for the Respondent Nos.1 to 4 and Counsel for Respondents;

THE COURT MADE THE FOLLOWING ORDER:

"The Writ Petition is filed impugning the proceedings dated 27.10.2022 granting license in favour of the respondents 5 and 6, which affect the rights of the petitioner.

Learned counsel appearing for the respondents 5 and 6 requested time to get the material as well as the instructions.

Learned Government Pleader also requested time to get written instructions in this matter.

In view of the same Post the matter on 01.11.2022 in the Motion List.

Learned senior counsel appearing on behalf of the petitioner submitted that once the respondents 5 and 6 establish the Bar as per the proceedings dated 27.10.2022, the matter become infructuous. Therefore, sought for a direction to maintain status quo till 01.11.2022.

Considering the said submission, the respondents are directed to maintain status quo till such time."

//TRUE COPY//

SD/- SHAIK MOHD. RAFI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, The State of Ap, Revenue (Excise) Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner of Prohibition and Excise, Government of Andhra Pradesh at Vijayawada, Krishna District.
3. The Deputy Commissioner of Prohibition and Excise, Kurnool.
4. The District Prohibition and Excise Officer, Anantapuramu, Anantapuramu District.
5. B.Srinivasulu, S/o B.Sree Ramulu, R/o. Kovur Nagar, Anantapuramu, Anantapuramu District.
6. V.Venkata Rami Reddy, S/o. V.Ramakrishna Reddy, R/o. Suryanagar, Anantapuramu, Anantapuramu District. (1 to 6 by RPAD- along with a copy of petition and Affidavit)
7. One CC to SRI. O M R LAW FIRM Advocate [OPUC]
8. One CC to SRI. RAVULA NAGARJUNA Advocate [OPUC]
9. One spare copy

PSD

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HIGH COURT

DRJ

DATED:28/10/2022

NOTE: POST ON 01.11.2022

WP.No.34972 of 2022

STATUS QUO

