

APHC010133272024



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3332]
(Special Original Jurisdiction)**

FRIDAY ,THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 7243/2024

Between:

P V Midhun Reddy

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.V SRINIVASULA REDDY

Counsel for the Respondent(S):

1.GP FOR PROHIBITION EXCISE

The Court made the following order:

The short grievance of the petitioner is non-refunding the license fee of Rs.19,00,000/- and the application fee Rs.10,000/- by the respondents.

2. Heard V.Srinivasula Reddy, learned counsel for the petitioner and learned Assistant Government Pleader for Prohibition & Excise.

3. Learned counsel for the petitioner in elaboration to what has been stated in the affidavit contended that, the petitioner while obtaining license under Form-2B of Bar and Restaurant he paid Rs.19,00,000/- refundable amount towards license fee and Rs.10,000/- towards application fee respectively. He further contended that, the petitioner closed the business way back in the year 2014 so far the authorities are not refunding the said amount. It would suffice for the time being if a direction is given to the respondent authorities to release the amount to the petitioner in a time bound manner.

4. On the other hand, learned Assistant Government Pleader on written instructions dated 21.03.2024 contended that, the petitioner has not approached the authorities for refund of the license fee and application fee and now filed the present writ petition. He further contended that, the application fee of Rs.10,000/- is not entitled for refund and sought eight (08) weeks time to pay the license fee to the petitioner.

5. Perused the record.

6. The grievance of the petitioner is non-refunding of the amount towards the license fee and application fee to a tune of

Rs.19,00,000/- and 10,000/- respectively. The written instructions of District Prohibition & Excise Officer *vide* Rc.No.226/2024/B, dated 21.03.2024 would indicate that, the petitioner has paid the amounts for license of M/s Ruby Restaurant and Bar for the year 2014-15. However, the license was not renewed as the Bar premises was located in prohibited ward. Since then the amount was not refunded. Now, as the authorities have an intention to release the amount within a period of eight (08) weeks, there is no purpose in keeping the writ petition pending inviting counter.

It is brought to the notice of this Court that in the similar set of facts, this Court has passed orders in W.P.No.8565 of 2023 wherein, a direction was given to the authorities either to refund or adjust the amount for renewal of form-2B. But in the present case, the adjustment does not arise on the ground that the petitioner closed the shop way back in the year 2014-15, as the place is prohibited ward.

7. in view of the same, with consent of both the learned counsel, this Court is inclined to dispose of the present writ petition by passing the following order:

“The authority concerned is directed to refund the refundable license fee to a tune of Rs.19,00,000/- as expeditiously as possible not later than eight (08) weeks from the date of receipt of a copy of this order”.

8. Accordingly, the Writ Petition is **disposed of**. No costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

22nd March, 2024
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THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 7243/2024

Date: 22.03.2024
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