

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

FRIDAY, THE TWENTY SECOND DAY OF MAY TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 8993 OF 2020



Between:

M/s S.P.Y. Agro Industries Limited., Represented by Its Director, Smt. S. Sujala, New Industrial Estate, Udumalpuram Nandyal, Kurnool Dist, Andhrapradesh - 518502.

Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Spl. Chief Secretary, Revenue and Excise Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Andhra Pradesh State, Beverages Corporation Ltd., Rep. by its Managing Director, Gollapudi, Vijayawada.
3. The Commissioner of Distilleries and Breweries, Amaravathi, Vijayawada.
4. The Asst. Commissioner, of Prohibition and Excise (Distilleries), Tirupati.

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 more particularly one in the nature of Writ of Mandamus declaring the proceeding the 3rd respondent vide C. R.No. H3/ 1076/2008/CPE/Ex dated 08.05.2020 in so far as demanding interest @18 percent and 12 percent on the instalments due by the petitioner is illegal, arbitrary, violative of Articles 14 and 19 of the Constitution of India, set aside the same;

IA NO: 1 OF 2020

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 respondents to collect the principal due amount i.e., Rs. 11,76,25,777/- for the LOI fee in 12 monthly instalments commencing from August 2020 from the petitioner, pending disposal of the Writ Petition No.8993 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI.S.APPADHARA REDDY Advocate for the petitioner and of GP FOR PROHIBITION & EXCISE for Respondents, the Court made the following.

ORDER:

The complaint of the petitioner is that it is unable to pay the instalments granted by the Government earlier in view of the pandemic situation and requests for grant of time.

In view of the unprecedented situation created by the pandemic and the lock down guidelines issued to control the said pandemic and in view of the various directions granted by the Hon'ble Supreme Court as well as this Court for

the purposes of dealing with this situation, it would be appropriate to direct the respondents to receive the instalments payable by the petitioner by permitting it to pay the instalments due for the month of May by the end of July and all subsequent months also in the same manner i.e., the payments due in June shall be paid by the end of August and so on.

Post the writ petition on 25.6.2020 for instructions and counter.

SD/- K. VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Spl. Chief Secretary, Revenue and Excise Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Managing Director, Andhra Pradesh State, Beverages Corporation Ltd., Gollapudi, Vijayawada.
3. The Commissioner of Distilleries and Breweries, Amaravathi, Vijayawada.
4. The Asst. Commissioner, of Prohibition and Excise (Distilleries), Tirupati. (1 TO 4 by RPAD)
5. One CC to SRI.S.APPADHARA REDDY Advocate [OPUC]
6. Two CCs to GP FOR PROHIBITION & EXCISE, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

SRL



HIGH COURT

RRRJ

DATED:22/05/2020

**NOTE: POST THE WRIT PETITION ON 25.6.2020 FOR
INSTRUCTIONS AND COUNTER**

ORDER

WP.No.8993 of 2020

DIRECTION

