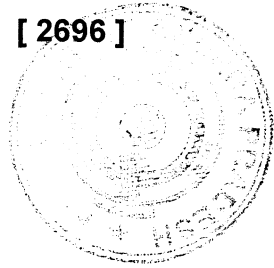


(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)



MONDAY, THE NINTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE M.GANGA 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 (Distrilleries), Tirupati.

Respondents

WHEREAS the Petitioner above named through its Advocate Smt.Pulipati Radhika presented this 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;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and the order of the High Court, dated 22.05.2020 made herein and upon hearing the arguments of Smt.Pulipati Radhika Advocate for the petitioner and of learned Government Pleader for Prohibition and Excise for Respondent Nos.1,3 & 4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

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 (Distrilleries), Tirupati.

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted before 23.11.2020, on which date the case stands posted for hearing.

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 installments 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 COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Govt. Pleader for Prohibition and Excise takes notice on behalf of Respondents 1, 3 and 4 and waives further notice, seeks time for filing counter.

The counsel Smt.Pulipati Radhika, states that she filed Vakalath in the place of learned counsel Sri.S.Appadhara Reddy.

The Registry is directed to verify and print the name of Smt.Pulipati Radhika, learned counsel appearing on behalf of petitioner.

Post on 23.11.2020.

Sd/- M. RAMESH BABU
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- along with a copy of petition and affidavit)
5. One CC to Smt.Pulipati Radhika Advocate [OPUC]
6. Two CCs to GP for Prohibition & Excise, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

SRL

HIGH COURT

MGRJ

DATED:09/11/2020

NOTE: POST ON 23.11.2020

NOTICE BEFORE ADMISSION

WP.No.8993 of 2020

