

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE EIGHTEENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY ONE

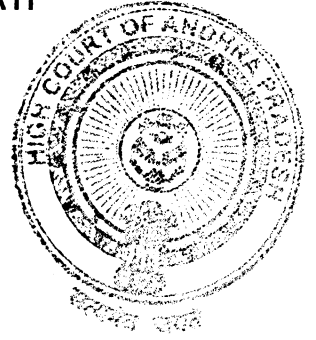
:PRESENT:

THE HONOURABLE SRI JUSTICE M.GANGA RAO

IA No. 1 OF 2021

IN

WP 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 District, Andhra Pradesh - 518502

...Petitioner

(Petitioner in WP 8993 OF 2020
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep by its Special 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 Assistant Commissioner, of Prohibition and Excise (Distrilleries), Tirupati.

...Respondents

(Respondents in-do-)

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 not to take any coercive action against the Petitioner for recovery or collection of any interest amount or else I would suffer a great prejudice. Pending disposal of WP 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 the order of the High Court dated 22-05-2020, 09-11-2020 and 03-12-2020 made herein and upon hearing the arguments of Sri M.V.J.K.Kumar, Advocate for the Petitioner and GP for Prohibition Excise for the Respondent Nos.1 & 4 and Sri K.Venkates Sarma, Advocate for the Respondent Nos.2 & 3, the Court made the following.

ORDER:

“Sri Dr.M.V.K.Moorthy, learned senior counsel appearing for the petitioner, states that the petitioner has paid a sum of Rs.46,86,11,472/- out of Rs.50 crores, as per the orders of this Court. Now, the respondents are issued the impugned notice dated 02.02.2021 asking the Management of the petitioner to pay the LOI due instalments i.e., 3 to 6 installments for an amount of Rs.11,87,92,896/- on or before 28.02.2021, without giving time as provided by this Court vide order dated 03.12.2020 passed in I.A.No.2 of 2020 in W.P.No.8993 of 2020, which is illegal and arbitrary.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel, and on perusal of the record, this Court *prima facie* satisfied that the petitioner has shown sufficient cause for grant of interim direction.

Accordingly, there shall be interim direction to the respondents not to take any coercive steps against the petitioner for recovery or collection of any interest amount, till 08.04.2021.

Post on 08.04.2021."

//TRUE COPY//

SD/- E.Kameswar Rao
ASSISTANT REGISTRAR


For ASSISTANT REGISTRAR

To,

1. The Special Chief Secretary, Revenue and Excise Department, Secretariat, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The Managing Director, Andhra Pradesh State, Beverages Corporation Ltd., Gollapudi, Vijayawada.
3. The Commissioner of Distilleries and Breweries, Amaravathi, Vijayawada.
4. The Assistant Commissioner, of Prohibition and Excise (Distrilleries), Tirupati. (Addresses 1 to 4 By RPAD)
5. One CC to Sri M.V.J.K.Kumar, Advocate [OPUC]
6. Two CCs to GP for Prohibition Excise, High Court of Andhra Pradesh. [OUT]
7. One CC to Sri K.Venkatesh Sarma, Standing Counsel [OUT]
8. One spare copy

MM

HIGH COURT

MGRJ

DATED:18/03/2021

ORDER

NOTE: POST ON 08-04-2021

IA No. 1 OF 2021
IN
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INTERIM DIRECTION

