

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH P.

FRIDAY, THE 08<sup>TH</sup> DAY OF MAY, 2020/18TH VAISAKHA, 1942

W.P(C) NO.9784 OF 2020

PETITIONERS:

1. HOTEL AIDA, KODIMATHA, KOTTAYAM DISTRICT- 686 531  
REPRESENTED BY ITS MANAGING PARTNER MOHAN JACOB
2. MOHAN JACOB, AGED 65 YEARS, S/O. LATE C. T. JACOB,  
MANAGING PARTNER, HOTEL AIDA, KODIMATHA, KOTTAYAM  
DISTRICT, RESIDING AT KELACHANDRA, CHINGAVANAM,  
KOTTAYAM DISTRICT - 686531

BY ADV. SRI. ANOOP.V. NAIR

RESPONDENTS:

1. STATE OF KERALA, REP: BY THE SECRETARY  
TAXES (A) DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
PIN - 695 001.
2. THE EXCISE COMMISSIONER, COMMISSIONERATE OF EXCISE,  
THIRUVANANTHAPURAM DISTRICT - 695 033
3. THE DEPUTY COMMISSIONER OF EXCISE,  
OFFICE OF THE DEPUTY EXCISE COMMISSIONER  
KOTTAYAM DISTRICT - 686 002

BY GOVERNMENT PLEADER SRI.K.P.HARISH

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON  
08.05.2020, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**ORDER**

Admit.

2. The learned Government Pleader takes notice for R1 to R3.

3. Considering the facts and circumstances of the case, there will be a direction to the third respondent to consider the petitioner's application for renewal of FL III licence for the year 2020-'21 upon receipt of the requisite licence fee together with the amounts demanded by way of Exts. P5 and P10. The payment of amounts under Exts.P5 and P10 will be purely provisional and it will be refunded to the petitioner if the writ petition is ultimately allowed in favour of the petitioner. The application for FL-III licence for the year 2020-'21 shall be taken up and disposed of within a period of ten days from the date of receipt of a copy of this order.

**GOPINATH P.  
JUDGE**

## APPENDIX

### PETITIONERS' EXTS:

EXHIBIT -P1: A PHOTOCOPY OF THE FL- 3 LICENSE RENEWAL CERTIFICATE FOR THE YEAR 2019-2020 DATED 21.03.2019, VALID TILL 31.03.2020

EXHIBIT -P2 : TRUE COPY OF THE APPLICATION DATED 07.11.2018 SUBMITTED BY THE PETITIONERS TO THE 2<sup>ND</sup> RESPONDENT

EXHIBIT -P3: TRUE COPY OF THE LETTER DATED 15.03.2019 SUBMITTED BY THE PETITIONERS TO THE 3<sup>RD</sup> RESPONDENT

EXHIBIT -P4: TRUE COPY OF THE ORDER NO. EXC/5762/2018/XC7 DATED NIL ISSUED BY THE 2<sup>ND</sup> RESPONDENT, RECEIVED BY THE PETITIONERS ON 16.03.2019

EXHIBIT -P5: TRUE COPY OF THE NOTICE ISSUED BY THE 3<sup>RD</sup> RESPONDENT TO THE PETITIONERS, RECEIVED BY THE PETITIONERS ON 23.03.2019 AT 06.20 PM

EXHIBIT -P6: TRUE COPY OF THE APPLICATION DATED 20.03.2019 SUBMITTED BY THE PETITIONERS TO THE 2<sup>ND</sup> RESPONDENT

EXHIBIT -P7: TRUE COPY OF ANOTHER LETTER DATED 25.03.2019 SUBMITTED BY THE PETITIONERS TO THE 2<sup>ND</sup> RESPONDENT

EXHIBIT -P8: TRUE COPY OF THE LETTER DATED 07.04.2020 SUBMITTED BY THE PETITIONERS TO THE 2<sup>ND</sup> AND 3<sup>RD</sup> RESPONDENTS AND TO OTHER CONCERNED OFFICERS

EXHIBIT -P9: TRUE COPY OF THE LETTER DATED 27.04.2020 SUBMITTED BY THE PETITIONERS TO THE 3<sup>RD</sup> RESPONDENT

EXHIBIT -P10 : TRUE COPY OF THE ORDER DATED 22.04.2020 ISSUED BY THE 2<sup>ND</sup> RESPONDENT TO THE PETITIONERS