

**THE HON'BLE SRI JUSTICE K. SURESH REDDY**

**Writ Petition(SR).No.26079 of 2020**

**ORDER:-**

The present writ petition is filed questioning the inaction of 3<sup>rd</sup> respondent in issuing No Objection Certificate permitting the petitioner to sell Diwali Green Fir Crackers at D.No.51-1-2, Old Eenadu Printing Press, Seethammadhara, Visakhapatnam, from 1.11.2020 to 14.11.2020 as per the NOCs issued by Fire Preventing Wing, Greater Visakhapatnam Municipal Corporation (GVMC), Visakhapatnam and Assistant Engineer, APEPDCL, as illegal, arbitrary and violative of Articles 14, 19 and 21 of Constitution of India, consequently direct the 3<sup>rd</sup> respondent to issue No Objection Certificate forthwith permitting the petitioner for possession and sale of fireworks during Diwali-2020.

2. Learned counsel for the petitioner submits that the petitioner intends to sell the Diwali fire crackers at D.No.51-1-2, Old Eenadu Printing Press, Seethammadhara, Visakhapatnam, from 1.11.2020 to 14.11.2020 as per the NOCs issued by Fire Preventing Wing, Greater Visakhapatnam Municipal Corporation (GVMC), Visakhapatnam. He further submits that the petitioner along with three others have applied NOCs for the selling of firecrackers in the above premises and he made an application dated 17.10.2020. Till today, 3<sup>rd</sup> respondent has not passed any orders on his application either permitting him or rejecting the application.

3. When the matter is taken up for hearing, learned Government pleader for Home filed a memo dated 11.11.2020 issued by the 3<sup>rd</sup> respondent delegating the powers to issue licenses to sell the Green firecrackers at the time of Diwali festival to the concerned Divisional Assistant Commissioner of Police, Visakhapatnam City and issued necessary instructions in the said memo.

4. In that view of the matter, the writ petition is disposed by directing the 3<sup>rd</sup> respondent or concerned authority i.e, Divisional Assistant Commissioner of Police, Visakhapatnam, to take action and pass appropriate orders on the application made by the petitioner positively by tomorrow. Further, the petitioner is directed to approach the concerned authority i.e., Divisional Assistant Commissioner of Police, Dwaraka, Visakhapatnam City, by today evening and furnish a copy of application.

There shall be no order as to costs.

Consequently, miscellaneous petitions, pending if any, shall stand closed.

12<sup>th</sup> November, 2020  
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**K. SURESH REDDY, J**

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**Dated :12.11.2020**

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