

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**WP(C) No. 1732/2025
CM No. 3941/2025**

**Sethi Kumar Mehra, age 43 years,
S/o Sh. Mohan Lal,
R/o Village Ranjan Jammu**

.....Appellant(s)/Petitioner(s)

Through: Mr. M.K. Bhardwaj, Sr. Advocate with
Mr. Gagan Kohli, Advocate

Vs

- 1. Union Territory of Jammu and Kashmir,
Th. Commissioner Secretary to Govt.,
Finance Department, J&K Govt.
Civil Secretariat, Jammu**
- 2. Excise Commissioner,
J&K Govt., Excise and Taxation
Complex, Rail Head, Jammu**
- 3. Excise & Taxation Officer, Range Rajouri,
Poonch**
- 4. Deputy Commissioner, Poonch**
- 5. SHO Police Station, Surankote**

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG

**CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
ORDER
(15.07.2025)**

- 01.** This writ petition can safely earn its disposal at its very inception stage considering the fact that the petitioner is asking for a direction which otherwise is a duty mandated upon the District Magistrate (Deputy Commissioner), Poonch to provide with respect to safety and security of

business activities lawfully being done by businessmen and inhabitants of Poonch district which in the present case relates to running of a liquor vend by the petitioner allotted to him in terms of temporary license No. 41490/304/2025-26 dated 29.05.2025 issued by the Excise Commissioner, J&K for a period of one excise year 2025-26 with location of the licensed premises being in Draba, Poonch.

- 02.** In terms of the license so granted, the petitioner is entitled to make the retail sale of foreign liquor, Indian made foreign liquor, JK Special Whisky, JK Country Liquor, Beer/RTD for consumption off the premises.
- 03.** The petitioner has set up his liquor vend in a rented shop located in Ward No. 4, Mohalla Brahmana, village Draba, tehsil Surankote, district Poonch, J&K UT.
- 04.** The concern of the petitioner is that since the site auctioned by the Excise Commissioner, J&K, with respect to Draba, Poonch came to be notified for the very first time, as such, opening of a liquor vend in the locality has activated miscreants who somehow disturb the smooth running of the liquor vend on the pretext of public resentment and that is making the daily running of business by the petitioner prone to risk of any untoward incident at any given point of time amounting to law and order disturbance.

- 05.** Revenue earning from an Excise activity is acknowledged to be serving the interest of the State/Public Exchequer and, as such, the petitioner is entitled to seek protection of Law and Order enforcement agency/authority responsible for law and order in the area and for that District Magistrate, (Deputy Commissioner), Poonch is the principal authority to be directed to provide requisite security atmosphere not only to the petitioner but also otherwise to the business environment in the area.
- 06.** This writ petition is therefore, ***disposed of*** with a direction to the District Magistrate, (Deputy Commissioner), Poonch to consider and provide adequate security measures with respect to smooth running of the liquor vend by the petitioner by passing an appropriate direction unto the concerned police authorities.
- 07.** This writ petition is, ***disposed of***, accordingly.

(RAHUL BHARTI)
JUDGE

JAMMU
15.07.2025
SUNIL

Whether the order is speaking : Yes/No
Whether the order is reportable : Yes/No