



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

Writ Petition (PIL) No.86 of 2026

15th July, 2026

Seeta Devi

-----Petitioner

Versus

State of Uttarakhand and Others

----Respondents

Presence:-

Mr. Abhijay Negi, learned counsel for the petitioner.

Mr. Amarendra Pratap Singh, learned Addl. Advocate General and Mr. B.S. Parihar, learned Addl. C.S.C. for the State of Uttarakhand.

ORDER:

1. The present writ petition has been filed in public interest for the following relief:

*"I. Issue a writ, order or direction in the nature of Mandamus restraining the respondents from operating or permitting the operation of the impugned liquor sub-shop at Hatwalgaon/Satyon Marodapul, Tehsil Dhanaulti, District Tehri Garhwal and to declare that the action of continuation/operation of the impugned sub-shop without obtaining or considering consensus regarding location, as recognized in the Excise Commissioner's order dated 16.05.2026 (**Annexure No. 10; Page no. 59 to 61**), is arbitrary and unsustainable in law;*

*II. Issue a writ, order or direction in the nature of Certiorari quashing the approval passed by Respondent No._____ dated 06.04.2026 (**Annexure No. 4; Page no. 49 to 49**) and the consequential order dated 09.04.2026 passed by Respondent No.4 (**Annexure No. 5; Page no. 50 to 50**), whereby the proposed site of the sub-shop of Foreign Liquor Shop, Dhanaulti at Hatwalgaon/Satyon Marodapul was approved and permission was granted for its operation for the financial years 2026-27 and 2027-28;*

III. Issue a writ, order or direction directing the respondents to reconsider the issue of location and operation of the impugned sub-shop strictly in accordance with the Uttarakhand Excise Policy, 2025-26,



*2026-27 and 2027-28 (**Annexure No. 11; Page no. 62 to 108**), the directions issued by the Excise Commissioner regarding consensus with the local public sentiments (Annexure No. 10; Page no. 59 to 61), and all relevant administrative records;*

IV. Issue an interim order staying the operation of the impugned liquor sub-shop at Hatwalgaon/Satyon Marodapul, Tehsil Dhanaulti, District Tehri Garhwal pending disposal of the present writ petition;

V. Pass any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. Shri Abhijay Negi, learned counsel for the petitioner has placed for our perusal a circular letter issued by Excise Commissioner Uttarakhand on 06.07.2026 wherein it is stated that in view of Clause 3.14 of the Excise Policy only such shops as were operational in 2024-25 and 2025-26 would be entitled to operate during the financial year 2026-27 and 2027-28. He states that, in view of the said order, the shop in question in relation to which the present writ petition has been filed is not in operation and, therefore, he is not pressing the writ petition.

3. In view of the said statement, the writ petition is dismissed as withdrawn.

4. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 15.07.2026
SS