

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1938 of 2015

1. M/s Bhatiya Wine Merchants Village Ghuma, Via Sargaon, Tah. - Mungeli, Ghuma Via Sargaon Excise Warehouse, Janjgir/Sakti (Chhattisgarh) Through Proprietor, Shri Amolak Singh Bhatiya, S/o Late Shri Harbans Singh Bhatiya, Aged 55 Years, R/o Dayal Band, Near Gurudwara, Civil & Revenue District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Excise, Mahanadi Bhawan, Vidhan Sabha Road, New Raipur (Chhattisgarh)
2. The Commissioner, Excise, Chhattisgarh, Raipur (Chhattisgarh)
3. The Assistant Commissioner Excise, Janjgir - Champa (Chhattisgarh)

---- Respondent

For Petitioner	Shri Devarshi Thakur, Advocate
For Respondent/State	Shri P.K. Bhaduri, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

17/11/2015

1. By this petitioner, the petitioner has sought a direction to the Commissioner (Excise), Chhattisgarh, Raipur, to decide its pending appeal expeditiously.
2. On the previous date of hearing, learned counsel for the State sought time to seek instructions to ascertain as to whether the petitioner has preferred any appeal before the Commissioner (Excise),

Chhattisgarh, Raipur. He would submit, on instructions, that the appeal preferred by the petitioner has been registered as appeal case No.7/2014-15 and was listed for hearing on 9-11-2015.

3. In view of the above, the writ petition is disposed of with an observation that in the event the petitioner moves an application for early hearing of the appeal the same shall be considered and decided by the Commissioner (Excise), Chhattisgarh, Raipur, in accordance with law and on its own merits.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the Commissioner (Excise), Chhattisgarh, Raipur shall decide the appeal, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

Prashant Kumar Mishra

Gowri