

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 18066 of 2015
Date of decision : 3.9.2015**

M/s IPS Chadha Malbros International Private Limited, Chandigarh

.....Petitioners

v.

Chandigarh Administration and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present : Mr. Vikram Jain, Advocate, for the petitioner

Mr. J.S. Toor, Advocate, for the respondents

Ajay Kumar Mittal, J.

This order shall dispose of five writ petitions bearing CWPs No. 18066, 18046, 18052, 18057 and 18058 of 2015 as identical issue and facts are involved therein. The relevant facts are being extracted from CWP No. 18066 of 2015.

2. Prayer in CWP No. 18066 of 2015, filed under Articles 226/227 of the Constitution of India, is for quashing of order dated 21.8.2015 (Annexure P-1), passed by the Collector (Excise)-cum-Additional Excise and Taxation Commissioner, Union Territory, Chandigarh. Further prayer has also been made for issuance of a writ of mandamus directing the respondent authorities to stay the operation of impugned order.

3. On 1.9.2015, it was admitted by learned counsel for the respondents that Sh. Sarabjit Singh, IAS, Finance Secretary-cum-Secretary, Excise & Taxation Department, U.T., Chandigarh, is competent to hear the appeals and accordingly, he was directed to decide the appeals on that day itself after hearing the petitioner(s) or their representatives by passing speaking orders in

accordance with law. Further, learned counsel for the respondents was directed to produce the copy of the order passed in each appeal by Sh. Sarabjit Singh, IAS, Finance Secretary-cum-Secretary, Excise & Taxation Department, U.T., Chandigarh in Court today.

4. In compliance to order dated 1.9.2015, learned counsel for the respondents has produced the copies of orders passed in each appeal separately and the same are taken on record.

5. It was submitted by learned counsel for the U.T., Chandigarh that after hearing the appeals, the same have been accepted. Consequently, the liquor vends in question, have opened w.e.f. 1.9.2015.

6. Learned counsel for the petitioner(s), stated that in view of the statement made by learned counsel for the U.T., Chandigarh, these petitions have been rendered infructuous and may be disposed of as such. However, prayer was made that liberty be granted to the petitioner(s) to claim compensation/damages or take any action against respondent No.2.

7. In view of the above, the petitions stand disposed of as infructuous. It shall, however, be open to the petitioner (s) to take recourse to the remedies as may available to them to claim compensation/damages or take any action against respondent No.2, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

3.9.2015
Ashwani