

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 1436 of 2015**

- Anil Kumar Pandey S/o Late Shri R. K. Pandey Aged About 63 Years  
R/o Nehru Nagar, Bilaspur, P. S. City Kotwali, Tahsil & District  
Bilaspur, (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Excise Department,  
Mahanadi Bhawan, Mantralaya, Naya Raipur, P. S. Naya Raipur,  
Tahsil & District Raipur, (Chhattisgarh)
2. The Commissioner Excise, Chhattisgarh, Raipur, Tahsil & District  
Raipur, (Chhattisgarh)
3. The Collector, Bilaspur, Tahsil & District Bilaspur, (Chhattisgarh)
4. The Assistant Excise Officer, Bilaspur, District Bilaspur, (Chhattisgarh)
5. The Joint Director, Veterinary Services, Bilaspur, Tahsil & District  
Bilaspur, (Chhattisgarh)
6. Dharmendra Dubey S/o Shri Surya Dubey, Aged About 45 Years  
License Holder Of Country Made Liquor And English Wine, Chhote  
Koni Bilaspur, P. S. Koni, Tahsil & District Bilaspur, (Chhattisgarh)
7. The Board Of Revenue, Through : The President/ Chairman, Bilaspur,  
Tahsil & District Bilaspur, (Chhattisgarh)

**---- Respondent**

**And**

**WP227 No. 925 Of 2015**

- Anil Kumar Pandey S/o Late Shri R.K. Pandey, Aged About 63 Years  
R/o Nehru Nagar, Bilaspur, P.S. City Kotwali, Tahsil & District Bilaspur,  
(Chhattisgarh).....Non- Applicant

**---- Petitioner**

**Vs**

1. State Of Chhattisgarh Through The Secretary, Excise Department,  
Mahanadi Bhawan, Mantralaya, Naya Raipur, P. S. Naya Raipur,  
Tahsil & District Raipur (Chhattisgarh).....Non- Applicant
2. The Commissioner Excise, Chhattisgarh, Raipur, Tahsil & District  
Raipur, (Chhattisgarh).....Non- Applicant

3. The Collector, Bilaspur, Tahsil & District Bilaspur, (Chhattisgarh).....Non- Applicant
4. The Assistant Excise Officer, Bilaspur, District Bilaspur, (Chhattisgarh).....Non- Applicant
5. The Joint Director, Veterinary Services, Bilaspur, Tahsil & District Bilaspur, (Chhattisgarh).....Non- Applicant
6. Dharmendra Dubey, S/o Shri Surya Dubey, Aged About 45 Years License Holder Of Country Made Liquor And English Wine, Chhote Koni Bilaspur, P. S. Koni, Tahsil & District Bilaspur, (Chhattisgarh).....Applicant
7. The Board Of Revenue, Through: The President Chairman, Bilaspur, Tahsil & District Bilaspur, (Chhattisgarh).....Applicant

**---- Respondent**

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|----------------------|-----------------------------------|
| For Petitioners      | Shri S. C. Verma, Advocate        |
| For Respondent/State | Shri Prafull Bharat, Addl. AG     |
| For Respondent No.6  | Shri Rajeev Shrivastava, Advocate |

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board By**

**12/01/2016**

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. The dispute raised in these petitions pertains to opening of a liquor shop in a premises, which allegedly is a government property.
3. Shri Verma, learned counsel for the petitioners and Shri Prafull Bharat, learned Additional Advocate General would submit that the matter has been rendered infructuous.
4. Shri Shrivastava, learned counsel for the respondent No.6, the licensee of the liquor shop, would contend that in the premises, where

the licensee is subsequently shifted, he is a lessee of one Devmati, who has already filed a suit for declaration of her title, therefore, the orders passed by this Court from time to time in either of the petition may not come in her way in the pending civil suit.

5. In these writ proceedings, this Court has not decided title of any of the parties. The interim orders were passed only on the basis of existing government record, therefore, needless to say that the decision in the civil suit shall be rendered on its own merits, without being influenced by any observation made at any point of time in these writ petitions.
6. Accordingly, both the writ petitions are disposed of as infructuous.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala