

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

CWP No. 12984 of 2003 (O&M)

Date of decision: 9.9.2016

Patiala Distillers & Manufacturers Limited Petitioner

VS

State of Punjab and others Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Harinder Singh Sidhu**

**Present: Mr. Vikram Jain, Advocate, for the petitioner.
Mr. Jagmohan Bansal, Additional Advocate General, Punjab.**

Rajesh Bindal, J.

This order will dispose of two writ petitions bearing CWP Nos. 12984 and 13547 of 2003, as common questions of law and facts are involved therein.

The petitioner is aggrieved against disallowing of its claim of excess wastage on account of re-distillation in terms of Rule 101-A(1) of the Punjab Distillery Rules, 1932. Show cause notices issued to the petitioner have also been challenged in the present petitions.

It is not in dispute that the identical issues came up for hearing before a Division Bench of this Court in M/s Haryana Distillery Yamunanagar vs State Government of Haryana and others 2010(1) PLR 489 and the writ petition was dismissed.

The fact that the issues involved in the present petitions and in the aforesaid Division Bench judgment of this Court in M/s Haryana Distillery Yamunanagar's case (supra) are identical is not in dispute.

However, learned counsel for the petitioner submitted that the leave to appeal to the petitioner therein has been granted by Hon'ble the Supreme Court against the judgment of this Court in M/s Haryana Distillery Yamunanagar's case (supra). However, there is no interim stay.

After hearing learned counsel for the parties and for the reasons recorded in Division Bench judgment of this Court in M/s Haryana Distillery Yamunanagar's case (supra), we do not find any merit in the present petitions. The same are accordingly dismissed.

(Rajesh Bindal)
Judge

9.9.2016
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No