

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 7985 of 2016

Date of Decision: 29.4.2016

Satwinder Kaur and others

....Petitioners.

Versus

State of Punjab and others

...Respondents.

1. Whether the Reporters of the local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE RAJ RAHUL GARG.**

PRESENT: Mr. Vikram Jain, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. Through the instant petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of Mandamus seeking reduction of proportionate quota and proportionate fee for the excise year 2016-17 in the State of Punjab on account of non-issuance of Indian Made Foreign Liquor (IMFL) and Beer liquor quota by the Excise Department and refund of license fee on account thereof. Further, the prayer has been made directing the respondents to decide the legal notice dated 18.4.2016 (Annexure P-1).

2. State of Punjab announced its Excise Policy for the year 2016-17 in March, 2016. The petitioners were allotted the liquor vends as mentioned in para 3 of the writ petition and they started functioning

from 1.4.2016 after depositing the proportionately license fee of 12% of the annual license fee. However, IMFL and Beer stock was not issued by the Excise Department. Accordingly, the petitioners served a legal notice dated 18.4.2016 (Annexure P-1) upon respondents No.1 to 4 for refund of license fee paid on account of non-issuance of liquor quota by the Excise Department and further reduction of proportionate quota and proportionate fee for the excise year 2016-17 in the State of Punjab, but no response has been received. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have sent a legal notice dated 18.4.2016 (Annexure P-1) to respondents No.1 to 4, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.1 to take a decision on the legal notice dated 18.4.2016 (Annexure P-1), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of one month from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

April 29, 2016
gbs

(RAJ RAHUL GARG)
JUDGE