

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9087 of 2016

Date of Decision: 10.5.2016

Gurmail Singh 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. GS Salana, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ 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 directing respondents No.1 to 3 to remove the liquor vend from village Warraichan, Tehsil Amloh, District Fatehgarh Sahib installed on the main road and near 300 meters distance from the village and in the way of High School of the village where the children of around 10 villages use to come for study.

2. As per the averments made in the writ petition, on the main road linked the village of the petitioners to Sherpur Majra, a liquor shop was running by respondent No.5. The Gram Panchayat of village Warraichan, Tehsil Amloh, District Fatehgarh Sahib had passed a resolution dated 13.7.2015 (Annexure P-1) to remove the said liquor/wine shop. The petitioners along with other villagers made a

representation dated 31.8.2015 to respondent No.3 for removal of the liquor shop in question and to stop further auction of liquor vend in their village. When no action was taken on the said representation, Annexure P-2, the petitioners along with other villagers moved another representation dated 22.3.2016 (Annexure P-3) to respondent No.3 for removal of the liquor vend, but to no effect. Thereafter, the petitioners along with other villagers sent third representation dated 23.3.2016 (Annexure P-4) to respondent No.2, 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 along with other villagers have sent representations dated 22.3.2016 (Annexure P-3) and dated 23.3.2016 (Annexure P-4) to respondents No.2 and 3, 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.3 to take a decision on the representations dated 22.3.2016 (Annexure P-3) and dated 23.3.2016 (Annexure P-4), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners and respondents No.4 and 5 within a period of 15 days from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 10, 2016
gbs

(RAJ RAHUL GARG)
JUDGE