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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 1836/2016 & CM APPLs. 7891-7892/2016

DHARAM PAL SINGH Petitioner
Through: Mr. Arvind Sah, Advocate.

versus

COMMISSIONER OF EXCISE ENTERTAINMENT
AND LUXURY TAX AND ORS Respondents
Through: Mr. Sakshi Popli, Advocate for
respondent No.1.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
02.03.2016

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Present writ petition has been filed challenging the impugned order dated 01st February, 2016 whereby decision taken by the Commissioner (Excise) for shifting of liquor-6 Vend of respondent No.2-Delhi Tourism and Transportation Development Corporation Ltd. (Tenant) was held justified.

Learned counsel for petitioner-landlord states that on 01st January, 2015, the Deputy Commissioner (Excise) had passed an order directing the respondent No.2 to shift the Liquor Vend situated at Shop No.1, UA, Ground Floor, Jawahar Nagar, New Delhi to some other suitable location. He further states that the petitioner-landlord challenged the aforesaid order by way of a writ petition being W.P.(C) 742/2015. The said writ petition

was disposed of vide order dated 18th January, 2016 with a direction to the petitioner to file an appeal under Section 72 of the Delhi Excise Act, 2009.

Learned counsel for petitioner states that petitioner in compliance with the said order has filed an appeal before the Commissioner (Excise) on 03rd February, 2016 and the said appeal has not been taken up for hearing till date.

Learned counsel for petitioner states that despite the Commissioner (Excise) being requested to hear the petitioner's appeal along with his tenant's appeal, the Commissioner (Excise) summarily dismissed the appeal of the tenant without giving any reasons. He prays that the petitioner's appeal be directed to be disposed of expeditiously.

Keeping in view the limited relief sought, the Commissioner (Excise) is directed to dispose of the petitioner's appeal within a period of two weeks.

In the meantime, no coercive action shall be taken in pursuance to the order dated 01st February, 2016 passed by the Commissioner (Excise).

With the aforesaid observation and direction, present writ petition and applications stand disposed of.

Order dasti under the signature of Court Master.

MANMOHAN, J

MARCH 02, 2016

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