

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 65 of 2017**

Smt. Sunita Vishwakarma W/o Shri Mohna Lal Vishwakarma, Aged About 36 Years R/o Ward No. 8, Nanhunagar, Nagar Panchayat Kirodimalnagar, District Raigarh (Chhattisgarh).

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Commercial Tax (Excise), Department, Mahanadi Bhavan, Raipur (Chhattisgarh).
2. The Commissioner, Excise Department, Raipur, District Raipur (Chhattisgarh).
3. The Collector, Raigarh, District Raigarh, (Chhattisgarh).
4. The District Excise Officer, District Raigarh (Chhattisgarh).
5. The Assistant Commissioner, Excise, District Raigarh (Chhattisgarh).
6. The Sub Divisional Officer (Revenue), Raigarh, District Raigarh (Chhattisgarh).
7. The Sub Divisional Officer, Public Works Department, National Highway, Sub Division Raigarh, District Raigarh (Chhattisgarh).
8. The Executive Engineer, Public Works Department, National Highway, Division Bilaspur, District Bilaspur (Chhattisgarh).

---- Respondents

For Petitioner	: Shri Rishi Rahul Soni, Advocate.
For Respondent/State	: Shri A.S. Kachhawaha, Additional Advocate General.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri P. Sam Koshy, Judge.

Order on Board**Per Thottathil B. Radhakrishnan, Chief Justice****25/04/2017**

1. We have heard Learned Counsel for the Petitioner and Learned Additional Advocate General for the State.
2. This writ petition is filed as a Public Interest Litigation pleading that the liquor shop at Kirodimal Nagar, Raigarh has to be shifted. It is noted that the

Petitioner has made Exhibit P/13 complaint to the 5th Respondent- Assistant Commissioner Excise pointing out *inter alia* that the case of the Kirodimal Nagar, Raigarh liquor shop cannot be treated differently from those covered by Exhibit P/12. Whatever be the reasons for identifying the shops covered by the other decisions, for being shifted, the situational requirement is that the 2nd Respondent- Commissioner, Excise Department decides on the issue raised by the Petitioner through Exhibit P/13, now stated to be pending before the 5th Respondent. The 5th Respondent is directed to therefore transmit Exhibit P/13 of the 2nd Respondent with the 5th Respondent views and factual report to enable the 2nd Respondent to take a final decision thereon. The decision of the 2nd Respondent shall be rendered following due procedure, also by carrying out the directions contained hereinabove, within an outer limit of 45 days from the date of receipt of certified copy of this order.

3. This writ petition is ordered accordingly.

Sd/-
(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE