

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1313 of 2017

- Ashok Ajmani S/o Shri Mulkraj Ajmani, Aged About 60 Years
Occupation Business, Proprietor Hotel Central Point International,
Bodri, District Bilaspur, R/o 16, Shivaji Marg, Tikrapara Police Station
City Kotwali Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Government Of Chhattisgarh,
Department Of Commercial Tax And Excise, Mahanadi Bhawan, Naya
Raipur Capital Complex Raipur, Chhattisgarh.
2. Commissioner, Excise, Chhattisgarh, Raipur (Chhattisgarh)
3. Collector (Excise) Baspur, Tehsil And District Bilaspur, Chhattisgarh.
4. Assistant Commissioner, Excise, Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri R.S. Marhas, Advocate
For State	:	Shri Sangharsh Pandey, Dy.Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/05/2017

1. Heard.
2. The petitioner has filed this petition seeking a direction to the respondents-authorities to consider and decide the petitioner's application dated 10/04/2017 for renewal of FL-3 license.
3. During the course of arguments learned counsel for the petitioner fairly submits that in view of the judgment passed by the Supreme Court in the case of ***State of Tamil Nadu and others vs. K. Balu and another***¹ passed on 15/12/2016 and thereafter on 31/03/2017, the petitioner cannot carry on the activities within a distance of 500/220 meters, as the case may be. He however submits that the petitioner is willing to apply to the competent authority for shifting locality of Bar and

restaurant to an unobjectionable place.

4. The petitioner's application appears to be for renewal either at the same place or any other locality. The petitioner's application may be considered by the authority in strict compliance of the judgment of Supreme Court in the case of *State of Tamil Nadu and others vs. K. Balu and another (supra)* and any alternative location suggested by the petitioner may be considered by the authorities, in accordance with law.
5. With the aforesaid observation, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Kamde