

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**COCN No. 1004 of 2016 in
CWP No. 5936 of 2016
Date of Decision: 17.02.2017**

Gurwinder Singh and another

..... Petitioners

Versus

Harinder Singh Brar, Assistant Collector, Ist Grade,
Excise and Taxation Officer, Ferozepur

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Manpreet Singh, Advocate for
Mr. Shiv Kumar Sharma, Advocate
for the petitioner.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab
for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioners were entered into a partnership deed with Varinder Kumar and Baldev Raj on 14.04.2015 (**Annexure P-1**) to run the business of liquor in the area of Punjab, under the name and style of M/s. S.K. Wine Group, during the year 2015-2016. Petitioners' grievance was that their properties/agricultural land being attached without giving any notice to them, because the non-payment of licence fee and the same had been done in connivance of the respondent with the other partners of the firm. Copies/orders dated 01.03.2016 of attaching the property are annexed herewith as **Annexure P-2 & P-3**. Since, before attaching the properties of the petitioners, no chance of hearing to explain the position was given by the respondent, therefore a certiorari writ was filed bearing Civil Writ

Petition No. 5936 of 2016 for quashing the impugned orders dated 01.03.2016 (P-2 & P-3). The said petition was disposed of by the Division Bench of this Court vide order dated 30.03.2016 (**Annexure P-4**) with the following operative directions:-

“Dismissed as withdrawn. However, liberty is granted to the petitioners to file a detailed and comprehensive representation raising all the pleas as raised in the present writ petition within a period of one week from the date of receipt of certified copy of this order. It is directed that in case such representation is filed by the petitioners, the same shall be decided by respondent No.3, within next one month from the date of its receipt by passing speaking order after affording an opportunity of hearing to the petitioners, in accordance with law .”

Since the needful was not done within stipulated time, hence the present contempt petition.

At the time of hearing, learned State Counsel submits that in compliance of the order dated 30.03.2016 (P-4), a speaking order dated 10.05.2016 has been passed, therefore, no further action is warranted. A photocopy of the said order dated 10.05.2016, submitted by State Counsel in Court today, is taken on record, and also supplied to the counsel for petitioner.

In response, learned counsel for the petitioners concedes that the present petition has become infructuous.

Accordingly, present contempt petition stands dismissed as infructuous.

February 17, 2017
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(JASWANT SINGH)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No