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

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**Civil Writ Petition No.13703 of 2017  
Date of decision: September 07, 2017**

M/s Vault Liquor Pvt. Ltd.

....Petitioner

versus

UT, Chandigarh and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL  
HON'BLE MR. JUSTICE AMIT RAWAL**

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Present: Mr. Jagmohan Bansal, Advocate  
for the petitioner(s).

Mr. Suvir Sehgal, Sr. Standing Counsel with  
Mr. Akshay Sethi, Advocate and  
Mr. Jaiveer S. Chandail, Advocate  
for the respondents-UT, Chandigarh.

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**AJAY KUMAR MITTAL, J. (Oral)**

1. This order shall dispose of two writ petitions bearing Civil Writ Petition Nos.13703 and 13707 of 2017 as learned counsel for the parties state that the identical show cause notices have been impugned therein which are appended as Annexure P-6 in CWP No.13703 of 2017 and as Annexures P-6 and P-7 in CWP No.13707 of 2017. For brevity, the facts are being extracted from Civil Writ Petition No.13703 of 2017.

2. The challenge in this writ petition filed under Articles

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226/227 of the Constitution of India is to the show cause notice dated 05.06.2017 (**Annexure P-6**) vide which respondent No.2 has called upon the petitioner to show cause as to why license may not be suspended/cancelled under Section 36(c) and (g) of the Punjab Excise Act, 1914 (as applicable to UT, Chandigarh). Further prayer has also been sought to restrain the respondent from initiating any coercive action including cancellation/suspension of license.

3. Learned Sr. Standing Counsel for UT, Chandigarh submitted that in view of the clarification issued by the Apex Court on 11.07.2017 in Special Leave Petition (Civil) No.10243 of 2017, the action has been initiated for withdrawal of the show cause notices and the matter is still pending before the Excise and Taxation Commissioner, UT, Chandigarh. It was also submitted that a week's time is likely to take for withdrawal of the show cause notices and meanwhile, no further action in terms of the impugned show cause notice will be taken against the petitioner.

4. In Para No.7 of order dated 11.07.2017 passed in Special Leave Petition (Civil) No.10243 of 2017, it has been noticed as under:-

“The purpose of the directions contained in the order dated 15 December 2016 is deal with the sale of liquor along and in proximity of highways properly understood, which provide connectivity between cities, towns and villages. The order does not prohibit licensed establishments within municipal areas. This clarification

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shall govern other municipal areas as well. We have considered it appropriate to issue this clarification to set at rest any ambiguity and to obviate repeated recourse to IAs, before the Court.”

5. In view of the statement made by learned Sr. Standing Counsel for UT, Chandigarh, the present writ petition is disposed of as infructuous. However, liberty is granted to the petitioner(s) to move an application for revival of the petition(s), in case, any action is being initiated by the respondent-authority against them on the basis of impugned show cause notices.

(AJAY KUMAR MITTAL)  
JUDGE

(AMIT RAWAL)  
JUDGE

September 07, 2017  
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| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |