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

231(3)

**Civil Writ Petition No.13896 of 2017
Date of decision: September 07, 2017**

M/s Liquor World

....Petitioner

versus

Chandigarh Administration and others

....Respondents

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

Present: Mr. Vivek Singla, Advocate
for the petitioner.

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

AJAY KUMAR MITTAL, J. (Oral)

1. The prayer in this writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of certiorari for quashing the order dated 02.06.2017 (**Annexure P-6**) passed by respondent No.3, vide which the application filed by the petitioner for renewal of L-10B License for the year 2017-18 was rejected. Further prayer has also been made to direct the respondents for renewal of L-10B License for the year 2017-18,

which was applied by the petitioner on 06.04.2017.

2. Learned Sr. Standing Counsel for UT, Chandigarh has produced a certificate issued by the Excise and Taxation Department, UT, Chandigarh wherein it has been submitted that the license of the petitioner has been renewed vide the Excise and Taxation order dated 01.09.2017 for the excise policy 2017-18, commencing from 07.04.2017 to 31.03.2018 with a renewal license fee amounting to ₹12 lacs.

3. Learned counsel for the petitioner submitted that in view of the aforesaid communication, since the liquor vend was not operational from 07.04.2017 to 04.09.2017, the license fee should be payable by the petitioner from 05.09.2017, when the aforesaid intimation was received by it regarding the renewal of the liquor license.

4. The aforesaid contentions raised by learned counsel for the petitioner were opposed by learned Sr. Standing Counsel for UT, Chandigarh and he urged that the license fee should be payable from 07.04.2017 instead of 05.09.2017.

5. After hearing learned counsel for the parties, we do not find any justification with the contentions of learned Sr. Standing counsel for UT-Chandigarh. Once the liquor license of the petitioner had not been renewed and the liquor vend was not operational till 04.09.2017, it cannot be said that the petitioner shall be liable to pay

license fee amounting to ₹ 12 lacs w.e.f. 07.04.2017. The license fee would be payable/effective from the date of the communication received by the petitioner i.e. 05.09.2017, in accordance with law.

6. Disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

September 07, 2017
sonia gugnani

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No