

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

**CWP-606-2017
DATE OF DECISION:17.01.2017**

M/S LIQUOR WORLD VENTURE PVT. LTD. ... Petitioner

V/S

CHANDIGARH ADMINISTRATION AND ORS. ... Respondents.

**CORAM:HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
 Mr. Mohit Sood, Advocate
 for the petitioner.

 Mr. J.S. Toor, Advocate
 for the respondent-UT.

S.J. VAZIFDAR, C.J. (ORAL)

The petitioner has challenged the action of the respondents in closing the liquor vends for three days on 13.01.2017, 14.01.2017 and 15.01.2017.

The order was passed on 12.01.2017. 13.01.2017 was a Friday. The order was admittedly appealable. The petitioner, however, did not file an appeal. The petitioner contends that he did not file an appeal as the officer concerned was not available. Mr. J.S. Toor, Advocate appearing on behalf of the respondents states that the officer was available and had in fact passed orders in other similar matters on 13.01.2017 itself. This itself is a seriously disputed question of fact to say the very least. Further merely because 14th and 15th January were on a weekend, it does not necessarily follow that the action was mala fide to ensure that the vends would remain closed for three days. The petitioners would have to establish that the officer concerned

deliberately passed the order on Thursday to preclude the petitioner from filing an appeal and obtaining reliefs over the weekend.

The reliefs claimed in this petition do not survive. Compensation has not been sought as yet in this petition. In any event, it would be difficult in a writ petition to grant compensation.

In these circumstances, the petition is disposed of with liberty to the petitioner to adopt appropriate proceedings to recover compensation and/or damages on account of the alleged mala fide action.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(ANUPINDER SINGH GREWAL)
JUDGE

17.01.2017
SwarnjitS

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