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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9948/2017**

UNITED SPIRITS LIMITED (MP DISTILLERY) Petitioner

Through Mr. P. Chidambaram, Sr. Advocate
with Mr. Sujit Ghosh, Mr. Bandeeep
Chilana, Ms. Mannat Waraich, Mr.
Atulya Kishore, Mr. Rishi Garg and
Mr. Abhiroop, Advocates.

versus

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ORS. Respondents**

Through Mr. Ramesh Singh with Mr.
Sandeepan Pathak, Advocates.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **10.11.2017**

CM No.40521/2017 (exemption)

CM No.40522/2017 (exemption)

Exemptions are allowed subject to all just exceptions.

W.P.(C) 9948/2017 & CM No.40520/2017 (stay)

1. The writ petitioner's grievance, in these proceedings, is that after accepting the fee for L-1 licence under the Delhi Excise Act, 2009 and Delhi Excise Rules, 2010 framed thereunder and even after intimation that the application for such a licence was to be granted, the respondent/Commissioner has now raised queries with respect to the grant. Apparently, the ground for such queries is that the two units, functioning under the petitioner but outside the State, were blacklisted.

2. Learned senior counsel for the petitioner highlights that, in terms of proviso to Rule 35(1) of the Delhi Excise Rules, each unit is considered separate and independent. It is submitted that, in these circumstances, the respondent Commissioner cannot conclude that the blacklisting of a unit, located outside the State is, in any manner, a bar to the grant of L-I licence.

3. It is lastly submitted that the licence fee, in this case, accepted sometime in August, 2017, was Rs.89,00,000/- and the tenure of the licence fee paid has been extended from month to month and, is now scheduled to end on 30.11.2017.

4. Learned Counsel for the respondent, appearing on advance notice, states that the issue would be decided and an appropriate communication would be made directly to the petitioner at the earliest.

5. In these circumstances, a direction is issued to the respondent Commissioner to finally decide the issue and communicate the decision within ten days.

6. The writ petition is disposed of.

7. Order *dasti* under the signatures of the Court Master.

S. RAVINDRA BHAT, J

C. HARI SHANKAR, J.

NOVEMBER 10, 2017/st