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

+ **W.P.(C) 11173/2017 and CM No. 45743/2017**

D.P.SINGH

..... Petitioner

Through: Mr Kuldeep Kumar, Advocate.

versus

M/S ARDOR RESTAURANT & ORS

..... Respondents

Through: Mr Anuj Aggarwal, ASC, GNCTD
with Ms Deboshree Mukherjee,
Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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15.12.2017

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(a) A writ of Mandamus or any other appropriate writ, order or direction directing the respondents no. 2 to 4 to take an immediate and appropriate legal action against the respondent no.1 including the shutting down the respondent no.1 restaurant and cancelling the license of the respondent no.1.

(b) A writ of Mandamus or any other appropriate writ, order or direction directing the respondents no. 2 to 4 to impose a heavy penalty /fine upon the respondent no.1 for their illegal and unlawful activities in utter violation of the provision of The Delhi Excise Act 2009 and Article 21 of the Constitution of India.”

2. The petitioner has been aggrieved on account of liquor being served to his son as well as his nephew.

3. Plainly, the petition would require examination as to the contentious facts, which this court does not consider apposite in these proceedings. Accordingly, this Court is not inclined to entertain the present petition. Needless to state that the petitioner is not precluded from persuading his son and his nephew not to consume alcoholic beverages.

4. The petition and the application are disposed of.

VIBHU BAKHRU, J

DECEMBER 15, 2017
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