

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No.680 of 2018

Digvijay Singh S/o Shri T.S. Thakur, aged 54 years, Prop : Hotel Natraj, Link Road, Bilaspur, Distt-Bilaspur (CG)

---- Petitioner

Versus

1. State of Chhattisgarh Through the Collector (Excise) Bilaspur, Distt. Bilaspur (CG)
2. The Commissioner, Department of Excise Raipur, Distt-Raipur (CG)
3. The Assistant Commissioner, Department of Excise Bilaspur, Distt – Bilaspur (CG)

---- Respondents

For Petitioner	:	Mr.Anurag Dayal Shrivastava, Advocate
For Respondents	:	Mr.Arun Sao, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

14/03/2018

1. Learned counsel for the petitioner would submit that the impugned order passed by the Collector (Excise), Bilaspur is without jurisdiction and without authority of law as no show-cause notice was served to the petitioner before revoking the licence as required under Section 31(1) of the Chhattisgarh Excise Act, 1915.
2. On the other hand, learned Deputy Advocate General for the respondents would submit that the impugned order is appealable before the Commissioner (Excise) under the Chhattisgarh Excise Rules, therefore, the present writ petition is not maintainable.
3. Since the order is appealable before the Excise Commissioner, this Court is not inclined to entertain this writ petition. Accordingly, the writ petition is not entertained. However, taking into consideration that period of licence is up to 31.3.2018, if the

petitioners prefers an appeal within 3 days from today before the Excise Commissioner, the Excise Commissioner would do well and decide the same expeditiously taking into account that licence period is to expire on 31.3.2018. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-