

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

CWP No.12128 of 2018 (O&M)

Date of Decision: 18.07.2018

M/s Liquor World Venture P.Ltd.

...Petitioner

VS.

Chandigarh Administration & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. RS Khosla, Sr.Advocate with
Mr. Kunal Mulwani, Advocate for the petitioner

Mr. Nitin Kaushal, Advocate for the respondents

SURYA KANT J. (Oral)

(1) The petitioner's grievance is that despite being successful bidder for the sale of liquor by setting up a vend at village Raipur Khurd in UT Chandigarh and having offered a specific location to set up the vend, no site has been approved by the Chandigarh Administration till date.

(2) On the other hand, learned counsel for the UT Chandigarh states that as per Clause 26 of the Excise Policy, the site was to be arranged by the petitioner and the UT Administration was required only to approve the same. In the instant case, the site so identified by the petitioner was abutting the National Highway, hence it could not be approved.

(3) The petitioner has, no doubt, paid huge auction amount of ₹ 6.60 crore and if it is unable to run the business for want of an appropriate site, the question of petitioner's entitlement to seek refund has to be firstly determined by the respondent-authorities. We thus grant liberty to the petitioner to represent the respondents who shall decide the petitioner's claim within four weeks from the date of submission of the representation.

(4) The writ petition stands disposed of.

CM-7528-CWP-2018

Since the main case itself has been decided, no specific order is required to be passed in this application seeking impleadment of the applicants as party respondents.

The application is rendered infructuous.

CM-7529-30-CWP-2018

Allowed as prayed for.

Additional affidavit along with documents (A1 to A3) is taken on record subject to all just exceptions.

CMs stand disposed of.

(Surya Kant)
Judge

18.07.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No