

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-12729-2018

Date of Decision: 18.5.2018

Malwa Wines, Tootwala, Fazilka

...Petitioner.

Versus

State of Punjab and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL,
ACTING CHIEF JUSTICE.**

HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

PRESENT: Mr. Arastu Chopra, Advocate for
Mr. Vikram Jain, Advocate for the petitioner.

AJAY KUMAR MITTAL, ACJ.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to give quota to manufacture liquor to its bottling plant and to withdraw the quota issued to respondent No.4 as it had not manufactured Extra Neutral Alcohol. In the alternative to decide legal notice dated 31.3.2018 (Annexure P-2) sent by the petitioner to respondents No.1 to 3.

2. The petitioner is engaged in the business of liquor bottling plant in the State of Punjab. In March, 2018, the Excise Department, Punjab announced its excise policy for the year 2018-19. The Excise Department, Punjab had issued quota to manufacture liquor to respondent No.4 which

had not manufactured Extra Neutral Alcohol for the past three years. The petitioner sent a letter dated 30.3.2018 (Annexure P-1) to respondent No.2 for the allotment of quota to bottling plant to manufacture liquor who refused to accept the said letter. Thereafter, the petitioner sent a legal notice dated 31.3.2018 (Annexure P-2) to respondents No.1 to 3 not to issue any quota for manufacturing liquor to respondent No.4, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has served a legal notice dated 31.3.2018 (Annexure P-2) upon respondents No.1 to 3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the legal notice dated 31.3.2018 (Annexure P-2), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner and respondent No.4 within a period of five days from the date of receipt of the certified copy of the order.

**(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE**

May 18, 2018
gbs

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No