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

+ W.P.(C) 8175/2018

DHARMENDRA KUMAR SHARMA

..... Petitioner

Through: Mr Rajeev Chhetri, Mr Rajesh
Chhetri and Ms Meenakshi Rawat,
Advocates.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through: Mr Vikrant Yadav, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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06.08.2018

CM No.31306/2018

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, impugning an order dated 30.07.2018 (hereafter 'the impugned order') passed by the Deputy Commissioner (Excise), whereby respondent no.3 (hereafter 'DTTDC') has been directed to shift the liquor vend to a more suitable location within the period of fifteen days from the receipt of that order.

3. The petitioner is the owner of the premises described as shop nos.2 & 3, Kalyan Marg, K-551, Railway Colony, Mandawali, Delhi-110092 (hereafter 'the premises'). The petitioner had leased the premises to the DTTDC and, is now aggrieved with the action of respondent no.1 in

directing DTTDC (which is a licensee holding L-6 license) to shift the liquor vend being operated at the premises to another place.

4. This Court is of the view that grievance with regard to the orders passed by respondent no.1 can only be agitated by the licensee, that is, DTTDC. The petitioner is the owner of the said premises and, therefore, cannot insist that liquor vend continue to be operated from the premises, particularly, when DTTDC has raised no objection to the impugned order. In this view, this Court is not persuaded to entertain the present petition.

5. Needless to state that petitioner is not precluded from exercising all rights and remedies as are available to the petitioner in respect of the agreement entered into between the petitioner and DTTDC in respect of the lease of the premises.

6. The petition is, accordingly, dismissed. The pending application also stands disposed of.

VIBHU BAKHRU, J

AUGUST 06, 20181
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