

NAFRHIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3006 of 2019

- Hotel Meghdut, Power House Bhilai, Through The License Holder Nirmal Singh S/o Harbans Singh Aged About 63 Years, R/o G. E. Road Power House Bhilai, District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Excise Department, Mantralaya, Mahanandi Bhawan, New Raipur District Raipur Chhattisgarh
2. Excise Commissioner, Chhattisgarh Abkari Bhawan, Near Magneto Mall, Raipur, District Raipur Chhattisgarh
3. Assistant Commissioner Of Excise Durg, Collectorate Campus, Durg District Durg Chhattisgarh
4. The Collector, Durg, District Durg Chhattisgarh

---- Respondents

For Petitioner	Shri Awadh Tripathi, Advocate
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For Respondent/State	Ms. Richa Shukla, Dy. G.A.
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/09/2019

1. Heard.
2. It is contended that FL-3 license of the petitioner was cancelled in view of the direction of the Hon'ble Supreme Court in the matter of **Arrive Safe Society of Chandigarh Vs. The Union Territory of Chandigarh** in Special Leave Petition (Civil) No. 10243 of 2017. Therefore against the cancellation the petitioner preferred a WPC No. 2602 of 2017 wherein this Court on 20.09.2017 has passed the following orders:-

(6) After hearing learned counsel for the parties and in view of the aforesaid modification made by the Supreme Court, the State Government is directed to consider the case of

the petitioner for renewal of license of liquor bar, strictly in accordance with direction given by the Supreme Court in the matter of **Arrive Safe Society of Chandigarh** (supra) in Special Leave Petition (Civil) NO. 10243 of 2017.

3. Learned counsel for the petitioner further submits that in the meanwhile the petitioner's license was initially cancelled on 12.09.2018 which was not known to the petitioner. Subsequently, an appeal was filed before the Excise Commissioner, Raipur in the September, 2018 which is still pending adjudication. Therefore, the only prayer in this petition is that the appeal filed by the petitioner may be decided.
4. Without entering into the merits of the case and rights of the parties. Since it is submitted that the appeal is pending which is filed in September, 2018 the Excise Commissioner is directed to decide the appeal within a period of 60 days from the date of receipt of copy of this order.
5. In view of the above, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge

Jyoti