

NAFRHIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3003 of 2019

- Hotel Amit International And Foreign Restaurant, G.E. Road, Supela, Bhilai, Through The License Holder Smt. Minakshi Devi Sao, W/o Subhash Sao, Aged About 46 Years, R/o Pushpak Nagar, Junwani Road, Bhilai, District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Excise Department, Mantralaya Mahanadi 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, 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. The case of the petitioner is that he was granted a FL-3 license to run a bar in the hotel. Subsequently, as per 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. The FL-3 license was cancelled which was subject of challenge before this Court. This Court by a petition WPC No. 2588 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. It is stated before such order was passed the license of the petitioner was canceled on 12.04.2017 which was not made known to the petitioner. Subsequently after passing of the order petitioner has filed a representation by Annexure P-4 for renewal of the license. Since, the statutory appeal is provided under Section 62 (2G) of the Chhattisgarh Excise Act, 1915, therefore, no purpose will be served if direction is given to decide the representation. The petitioner shall be at liberty to file an appeal if so aggrieved.
4. Accordingly the petition is dismissed.

Sd/-

(Goutam Bhaduri)
Judge

Jyoti