

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7276 OF 2019

Bhavik Wines Shop	...	Petitioner
versus		
Union of India and Ors.	...	Respondents

Ms. Deepali Kamble, for Petitioner.

Mr. S.S.Deshmukh, AGP, for Respondent Nos.2 and 3.

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATE: 8th JULY, 2019

P.C.:

1. The Petitioner has been granted a license for sell of liquor. The Excise Commissioner has blocked the Petitioner's Transport Permit Address ("TP Address" for short) since January, 2019, due to which the Petitioner is unable to carry on the business. The Petitioner suspected that this was done due to the fact that the Petitioner had not paid the VAT as per the order of assessment, though the Petitioner has challenged such order before the Appellate Authority.

2. Learned AGP Shri Deshmukh appeared on private notice. On the basis of instructions supplied to him by the Department, he stated that the reason for blocking the Petitioner's TP address is that the Department has introduced a system under which every license holder has to provide on-line details of the sales made in a day, as also the bank transactions within 48 hours. If any dealer fails to do so, the system

would automatically lock the TP address. In the case of the Petitioner, this is precisely what has happened. He would point out that one once instance, the Petitioner had filled such details after nearly 120 hours, hence the system has blocked TP address. He however stated that to get the TP address released, the Petitioner has to approach the concerned Commissioner with proper representation and upon being satisfied that all necessary details have been provided, the TP address can be unblocked by the Department.

3. We wish these details were provided by the Department to the Petitioner, which possibly would have avoided the Petitioner approaching the Court. Be that as it may, if the Petitioner approaches the Respondent No.2 with details in a representation within a period of seven days from today and providing the necessary material in support of its stand that all details as required, though belatedly, as of now have been provided, the Respondent No.2 shall consider its representation within a period of 14 days and pass a final order within such time. If Respondent No.2 needs any clarification, the Petitioner would be put to notice. With these directions, the Writ Petition is disposed of.

(S.J.KATHAWALLA,J.)

(AKIL KURESHI,J.)