

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP 21333 of 2019
Date of decision:13.11.2019.**

M/s Suresh Kumar,Licensee

.....Petitioner

v.

State of Haryana and others

.....Respondents

**Coram: Hon'ble Mr.Justice Jaswant Singh
 Hon'ble Mr.Justice Girish Agnihotri**

Present:- Mr.Malkiat Singh,Advocate for the petitioner.

Ms.Mamta Singla Talwar,DAG Haryana assisted by
Mr.Pardip Kumar Manda, ETO (Excise) Office of
ETC Haryana.

Jaswant Singh,J.

Petitioner is proprietor of M/s Suresh Kumar which is engaged in the business of sale and purchase of liquor. The said concern has been granted a Licence for carrying out the said business under the Haryana Excise Policy. The petitioner is aggrieved against levy of penalty upon it for short lifting of mandatory quota of country liquor due to shortage of stock available with the suppliers/distilleries i.e. M/s Picaddily Sugar and M/s Allied Ind.Ltd.,Bawal. Hence the present petition challenging clause 3.2 of the Haryana Excise Policy for the year 2019-20.

This Court,without issuing notice of motion, vide order dated 19.9.2019 had directed the authorities concerned to take a policy decision pertaining to waiving off penalty on account of non-

supply of specified/mandatory country liquor quota by the distilleries to the wholesale dealers. In compliance thereof, on 4.10.2019 learned State counsel informed the Court that grievance of the petitioner has been redressed by the competent Authority. Upon this, learned State counsel was directed to file an affidavit of Excise and Taxation Commissioner,Haryana in this regard.

At the time of hearing today learned State counsel has produced affidavit dated 11.11.2019 of Dr.Amit Kumar Aggarwal, Excise and Taxation Commissioner, Haryana-respondent no.2 wherein details of various steps taken to redress the grievance of the petitioner have been furnished, including assurance to expeditiously decide the appeal filed by the petitioner. The said affidavit is taken on record.

In view of the steps initiated by official respondents, and as detailed in the said affidavit, learned counsel for the petitioner concedes that the present writ petition has become infructuous and may be disposed of accordingly.

Disposed of as infructuous.

(Jaswant Singh)
Judge

13.11.2019.
joshi

(Girish Agnihotri)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No