

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

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Civil Writ Petition No.2079 of 2021

Date of Decision: January 29th, 2021

M/s Rehan Wines and others

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. H.S. Brar, Advocate
for the petitioners.

Ms. Anu Pal, Deputy Advocate General, Punjab.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court with a grievance that the benefit, which the petitioners are entitled to as per the notification dated 03.06.2020 (Annexure P-3) granted to similarly placed contractor in L-2 and L-14A licensees vide which waiver of duty and other payable fees was granted for 36 days on account of lockdown due to Covid-19, has not been granted to them and also for refund of the amount comprising minimum guaranteed revenue, minimum guaranteed quota, fixed licence fee and additional fixed licence fee for nine days i.e. from 22.03.2020 to 31.03.2020, when the liquor vends of the petitioners remained closed, on the ground of parity and equality enshrined under Article 14 of the Constitution of India.

2. The assertion primarily of the petitioners is that they are entitled to be treated in a similar manner as the other liquor venders have been granted the benefit, especially in the light of the notification dated 03.06.2020

(Annexure P-3). Putting forth their claim, they have served a notice dated 24.09.2020 (Annexure P-4) through counsel, which till date has not been responded to.

3. Keeping in view the prayer made by the petitioners as also the legal notice, which has been served by them, referred to above, we deem it appropriate to dispose of the writ petition by directing the Financial Commissioner, Excise and Taxation, Punjab-respondent No.2 and Excise and Taxation Commissioner, Punjab, Patiala-respondent No.3 to consider the legal notice dated 24.09.2020 (Annexure P-4) and pass a speaking order within a period of four weeks from today. Decision so taken be conveyed to the petitioners forthwith.

4. In case the claim of the petitioners is accepted, the consequential benefits be released to the petitioners within a further period of four weeks.

(AUGUSTINE GEORGE MASIH)
JUDGE

January 29th, 2021
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No