

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(PIL) No. 1358 of 2022

Narrottam Dash & others **Petitioners**

Mr. Gyanendra Chandra Swain, Advocate

-versus-

Collector & District **Opp. Parties**
Magistrate, Bhadrak &
others

Mr. Debakanta Mohanty, AGA

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M. S. SAHOO

Order No.

ORDER
21.01.2022

- 01.** **1.** This matter is taken up through virtual mode.
- 2.** The petitioners in the writ petition, which is in the form of a Public Interest Litigation, have sought for a direction to the opposite party no.2-the Commissioner of Excise, Odisha, Cuttack not to sanction license of “Foreign Liquor On Shop” in Gopinathpur Gram Panchayat in the district of Bhadrak.
- 3.** Counsel for the parties heard at length.
- 4.** It is not the case of the petitioners that the due process, as has been prescribed in the Orissa Excise Act and Rules, has not been followed. On being pointedly asked regarding the petitioners’ effort to file any objection in the process of granting of license of the liquor shop, learned counsel for the petitioners has no

instruction regarding the same nor anything has been pleaded in the writ petition, apart from the statement of the petitioners that they are unwilling for opening of “Foreign Liquor On shop”.

5. The un-willingness/views of the petitioners regarding opening of a “Foreign Liquor On Shop” at a site would not constitute a cause for issuance of mandamus by this Court, when the grant of license for opening of liquor shop is governed by the statutory enactments as well as the excise policy of the Government. Concededly, the petitioners have not brought anything before this Court regarding non-compliance of any statutory provision or violation of any terms and conditions of the excise policy-2021-22 and accordingly, the writ petition is liable to be dismissed being devoid of any merit.

6. In view of the above, the writ petition is hereby dismissed.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

January 21st, 2022
Cuttack