

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) PIL No.4259 of 2022

Dhiren Kumar Das and others ***Petitioners***

M/s. G. C. Swain and another, Advocates

-versus-

Revenue Divisional Commissioner, Opposite Parties
Cuttack and others

Mr. Debakanta Mohanty, AGA

CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK

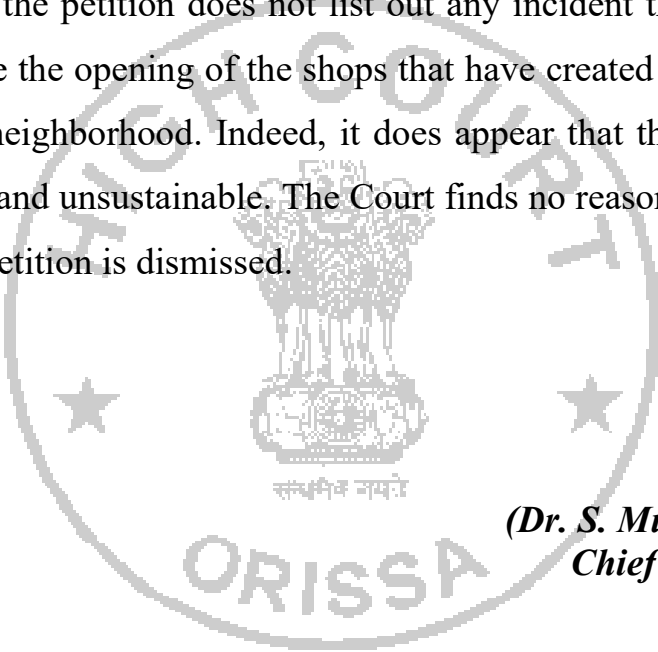
ORDER
10.03.2022

Order No.

02. 1. This is the second round of litigation concerning running of an IMFL 'ON' shop and a Country Liquor Shop (CLS) at Ward No.27 in Cuttack.
2. Earlier, the Petitioners had filed W.P.(C) No.32947 of 2021 in which an order was passed by this Court on 28th October, 2021 requiring the Petitioners' representation to be examined and a reasoned order thereon to be passed by the Excise Commissioner.
3. Pursuant thereto, after hearing the parties, a reasoned order has been passed by the Excise Commissioner on 31st January, 2022, which is now challenged in the present petition.
4. One of the grounds on which the challenge has been negated by the Excise Commissioner is that the allegations are vague and baseless.

5. Learned counsel for the Petitioners was repeatedly asked what the issue concerning the functioning of the ON shop and the CLS were, particularly since he has enclosed photographs of both shops along with the present petition. Specifically, he was asked to point out, whether after the opening of both the shops, any written complaints were received regarding their functioning and whether there were any incidents of law and order. He has unable to give a clear reply to these queries.

6. In fact, the petition does not list out any incident that has taken place since the opening of the shops that have created problems for the local neighborhood. Indeed, it does appear that the allegations are vague and unsustainable. The Court finds no reason to interfere. The writ petition is dismissed.

The seal of the Orissa High Court is a circular emblem. In the center is the State Emblem of India, featuring the Lion Capital of Ashoka with the motto 'Satyameva Jayate' in Devanagari script below it. The words 'HIGH COURT' are written in an arc at the top, and 'ORISSA' is written in an arc at the bottom. Two five-pointed stars are positioned on either side of the central emblem.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

M. Panda