

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31294 of 2022

Milind Gupta

....

Petitioner

Mr. Prafulla Kumar Rath, Advocate

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. Debakanta Mohanty, AGA

CORAM:

THE CHIEF JUSTICE

JUSTICE M. S. RAMAN

ORDER

28.11.2022

Order No.

01. 1. The challenge in the present petition is to a notification dated 6th August, 2022 of the Superintendent of Excise Commissioner, Bhubaneswar to the Petitioner requiring him, *inter alia*, to prove deposit up-to-date license fee for the purposes of permitting the Petitioner to operate a IMFL 'ON' Shop on the new site for the balance period of 2022-23.
2. Having heard the learned counsel for the parties, the Court directs that subject to the Petitioner depositing the current license fee, the Petitioner will be permitted to operate from the new site for the remaining period of 2022-23 and the Petitioner will be permitted to question the impugned demand before the Commissioner by way of appeal which shall be filed not later than 19th December, 2022. Such appeal if filed within that date, it will be decided by the Commissioner after hearing of the Petitioner by a reasoned order

within a period of two months thereafter. Till such time, no coercive steps shall be taken against the Petitioner as far as the impugned demand is concerned.

4. The writ petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(M. S. Raman)
Judge

MRS/Laxmikant

