

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

(PROCEEDINGS THROUGH V.C.)

127

CWP-3024-2022

Date of decision : 17.02.2022

Jagpal Singh

Petitioner

V/S

Union of India and others

Respondents

**CORAM : HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Ms. Dhivya Jerath, Advocate
for the petitioner.

Ms. Anu Pal, D.A.G. Punjab.

RITU BAHRI, J. (ORAL)

The petitioner has filed the present petition under Articles 226 and 227 of the Constitution of India for quashing of order dated 04.02.2022 (**Annexure P-1**) passed by the Excise Officer, SAS Nagar Mohali whereby the representation dated 31.01.2022 (**Annexure P-2**) made by the petitioner for issuance of permit for serving liquor at the marriage of his son on 19.02.2022 has been rejected.

Learned State counsel has referred to Section 135C(1) of The Representation of The People Act, 1951. As per the said provision 48 hours prior to the conclusion of the poll, no spirituous, fermented or intoxicating liquors or other substances of a like nature shall be sold, given or distributed at a hotel, shop or any other public or private place and the person who contravenes the above-said provision, shall be punishable with imprisonment for a term which may extend to six months.

Learned counsel for the State has further submitted that vide order dated 07.02.2022, which is taken on record as Annexure R-I, passed by Additional Chief Secretary (Taxation) Government of Punjab, Department of Excise and Taxation, 48 hours i.e. from 06:00 P.M. on 18.02.2022 till conclusion of Poll on 20.02.2022 have been declared as DRY DAYs.

In the present case, the marriage function of the petitioner's son is to be held on 19.02.2022 and his application for allowing him to serve liquor to his guest has been rightly rejected by the Excise Officer, SAS Nagar (Mohali) vide order dated 04.02.2022 (Annexure P-1).

Keeping in view Section 135C(1) of the Representation of The People Act, 1951 and order dated 07.02.2022 (Annexure R-1) passed by Additional Chief Secretary (Taxation) Government of Punjab, Department of Excise and Taxation, no case is made out to give directions to the Deputy Commissioner/Collector, SAS Nagar (Mohali)-respondent No.5 to consider the representation (Annexure P-2) of the petitioner. The present petition is dismissed accordingly.

(RITU BAHRI)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

17.02.2022
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No