

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

CWP-20348-2022

Date of Decision: 08.09.2022

M/s. JAGDISH KUMAR

...Petitioner

V/S

UNION TERRITORY OF CHANDIGARH AND ORS.

...Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Sanjay Kaushal, Sr. Advocate with
Mr. Arjun Shukla, Advocate
for the petitioner.

Mr. Anil Mehta, Sr. Standing Counsel for UT Chandigarh
with Ms. Shruti Rathore, Advocate on behalf of
Mr. Sumeet Jain, Additional Standing Counsel
for the respondents.

TEJINDER SINGH DHINDSA J. (Oral)

The instant writ petition is directed against the order dated 26.08.2022 (Annexure P-18) passed by the Additional Excise and Taxation Commissioner-cum-Collector (Excise), U.T. Chandigarh, vide which allotment of the retail, sale and liquor license of the petitioner pertaining to Vend Code 85 at Raipur Kalan (within Lal Dora), U.T. Chandigarh has been cancelled.

At the very outset, learned senior counsel for the petitioner would concede that a statutory remedy of appeal against the order of cancellation at Annexure P-18 is available under Section 14 of the Punjab Excise Act 1914.

Withdrawal of the writ petition is sought with liberty to the petitioner to avail the statutory remedy of appeal. Indulgence, however, is

sought from this Court for issuance of directions for an early disposal of the appeal.

Since, an advance copy of the writ petition stood served upon the respondents, Mr. Anil Mehta, Sr. Standing counsel for U.T. Chandigarh with Ms. Shruti Rathore, Advocate on behalf of Mr. Sumeet Jain, Addl. Standing Counsel have entered appearance. It is apprised the Court that till date no appeal has been filed by the petitioner against the order of cancellation.

However, a statement is suffered that in case an appeal under Section 14 of the Punjab Excise Act, 1914 is filed by the petitioner against the order of cancellation dated 26.08.2022 (Annexure P-18), within a period of 5 days from today, the same would be dealt with on merits and a final order would be passed within a time frame of two weeks thereafter.

Statement is accepted.

Writ petition is accordingly disposed of as withdrawn.

It is clarified that we have not examined the order of cancellation dated 26.08.2022 (Annexure P-18) on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

08.09.2022
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No