

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

226

CWP-6923-2021 (O&M)
Date of decision:- 17.02.2023

GURWINDER SINGH

.... Petitioner

VS

STATE OF PUNJAB AND OTHERS

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: None for the petitioner.

Mr. Saurabh Kapoor, Addl. A.G. Punjab.

Ritu Bahri, J. (Oral)

In the present petition, petitioner is seeking writ of certiorari for quashing letters dated 27.11.2020 (Annexure P-4 and P-5), passed by the Excise Officials without any authority in connivance with the liquor contractors in which they again tried to re-open the liquor vend in village Rureke Khurd in spite of the order dated 14.03.2017 passed by respondent No.2, Annexure P-1.

On notice of this petition, reply has been filed by the respondents dated 31.05.2021. The opening of the vend is related to the year 2017-2018 and the resolution passed by the Panchayat was accepted by the Excise and Taxation Commissioner and no liquor vend was opened in the village in the relevant year and order of the Excise and Taxation Commissioner is Annexure R-1. The period of

relevant year has expired. It is further stated that the Sarpanch of this village has already given no objection certificate dated 02.01.2021, Annexure R-2 with respect to the opening of the vend at village Rureke Khurd and it has been as per the instructions of the Government and Panchayat has no objection for opening of this vend for the year 2021-2022.

In para 10 of the reply dated 31.05.2021, it is further stated that M/s Golden Wine had been granted excise licence to operate liquor vend in the village, however, due to disturbance and chaos created by members of petitioner's Kissan Union, the vend could not be opened in the financial year 2020-2021 and no fresh authorization for the financial year 2021-2022 has been issued to any licensee.

No replication has been filed to the reply. No cause of action survives as no liquor vend has opened and operated in the year 2020-2021.

Accordingly, instant writ petition is dismissed.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

17.02.2023

pooja saini

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No