

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113)

CWP-28179-2023

Decided on : 14.12.2023

M/s J.K. Enterprises

.....Petitioner(s)

Versus

U.T. Chandigarh and another

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE LAPITA BANERJI**

Present: Mr. Sangram Singh Saron, Advocate for the petitioner (s).

Mr. Sanjiv Ghai, Advocate with
Mr. Arav Gupta, Advocate for U.T. Chandigarh.

G.S. Sandhawalia, J. (Oral)

1. In the present writ petition filed under Articles 226/227 of the Constitution of India, the only prayer which is liable to be pressed is for decision on the representation dated 08.12.2023 (Annexure P-7). The same has been filed for extension of time for payment of the last two installments for retail sale of country made and IMFL to the public for vends at Sector 24-D market and at Manimajra-Gobindpura, Chandigarh, vend codes 27 and 79, respectively.

2. Counsel for the petitioner has submitted that they are license holders of L-2 and L-14A for retail sale for the said two vends. It is his contention that out of the license fee regarding Liquor Vend at Sector 24D market of ₹4,55,00,003/-, they have paid ₹3,18,50,000/- (Annexure P-3). Similarly for the Liquor Vend at Manimajra-Gobindpura, for which it was allotted Vend Code-79 for ₹3,03,00,003/- (Annexure P-4) and out of which he has paid ₹2,12,10,000/-. It is submitted that as per Clause 37 of the Excise Policy of U.T. Chandigarh for the year 2023-2024 (for short 'the Excise Policy') payments have to be done in nine installments after adjusting the

amount of security money equal to 10% of bid money. It is, thus, the contention of the counsel that the installments have been spread upto 31.12.2023 and the period of license is till 31.03.2024. Reliance is, accordingly, placed upon Clause 83 of the Excise Policy (Annexure P-2) to contend that the petitioner has filed representation that the payment by way of installments beyond 31.12.2023 should be permitted and extension of time may be granted.

3. The said representation has only been filed on 08.12.2023 (Annexure P-7). On having advance copy, Mr. Ghai has put in appearance and has pointed out that the 8th installment which was due on 30.11.2023 has not been paid and there is a window of 15 days for payment to be paid alongwith interest.

4. Keeping in view the above, since the representation has just been filed on 08.12.2023 (Annexure P-7), we dispose of the present writ petition with the directions to respondent No.2 to take a decision on the said representation by keeping in mind Clause 83 of the Excise Policy, within a period of 10 days from today.

5. The writ petition stands disposed of, accordingly.

(G.S. SANDHAWALIA)
JUDGE

(LAPITA BANERJI)
JUDGE

14.12.2023
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No