

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

(116)

CWP-1033-2024

Decided on : 16.01.2024

M/s Lalit Thakur

.....Petitioner(s)

Versus

The Union Territory of Chandigarh & others

.....Respondent(s)

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

Present:- Mr.Prince Singh, Advocate
Mr.Vivek Dahiya, Advocate for the petitioner.

G.S. Sandhawalia, J. (Oral)

1. Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India is for extension of time of 2 weeks for paying the last instalment of the licence fee amounting to Rs.33,70,000/- which is due for 15.01.2024 as per Clause 37 of the Excise Policy for the year 2023-24.
2. It is the case of the petitioner that out of the instalment of Rs.73,70,000/- it is stated that he has already paid Rs.11,66,000/- and is ready and willing to deposit the amount of Rs.28,34,000/- by 15.01.2024.
3. Notice of motion.
4. On having advance notice, Mr.Sanjiv Ghai, Advocate and Mr.Prateek Rathee, Advocate accepts notice on behalf of the respondents and on instructions from Sh. Randhir Singh, ETO, U.T. Chandigarh, informs us that for the instalment of December, 2023, against the due amount of Rs.73,70,002/-, deposit of Rs.39,06,000/- has already been done leaving a balance of Rs.34,62,002/- without interest.

5. It is the case of the petitioner that he has submitted a representation dated 04.01.2024 (Annexure P-4) which is still pending consideration, however, Mr.Ghai refutes receipt of the same.

6. Keeping in view the fact that even the writ petition could be treated as representation, Mr.Ghai admits that on an earlier occasion also, the benefit had been granted to pay the amount belatedly but with interest as per Clause 37 of the Excise Policy for the year 2023-24 which would be clear from the order passed in CWP-26153-2023 titled *M/s Sun Enterprises Vs. Union Territory of Chandigarh & another* on 15.12.2023 (Annexure P-5).

7. Keeping in view the above, since specific averments have been made in the representation regarding the issue of lifting of additional quota by the petitioner, we are of the considered opinion that the said benefit can be granted since it is not disputed that the Administration has already been asked to take a call upon the additional quota only yesterday in CWP-29382-2023 titled *6 Bay Food Company through its Proprietor Rajbir Singh Vs. Union Territory of Chandigarh*.

8. Accordingly, in view of the above discussion, the present writ petition is disposed of, giving liberty to the petitioner to deposit the outstanding amount by 31.01.2024 along with interest. It is open to the petitioner to keep on depositing the said amount by way of instalments before that date also.

(G.S. SANDHAWALIA)
JUDGE

(LAPITA BANERJI)
JUDGE

January 16th, 2024
Sailesh

Whether speaking/reasoned :	Yes	
Whether Reportable :		No