



\$~56

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5661/2023**

KANWALPREET SINGH & ORS.

.....Petitioners

Through: Mr. Kamal Sethi, Advocate

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Prashant Manchanda, ASC for
GNCTD with Ms. Nancy Shah, Ms.
Ankita Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

30.08.2024

CM APPL. 50100/2024 (*application under Section 151 of CPC on behalf of
Petitioners No. 3 to 5 seeking appropriate directions*)

1. Through this application, the Applicants/ Petitioners No. 3 to 5 apprise the Court of certain developments that have taken place subsequent to the previous order passed by this Court. The same are briefly summarised hereunder:

1.1. On 26th February, 2024, the Division Bench of this Court issued directions in LPA 193/2023 and connected matters, ordering removal of liquor stock within two weeks in terms of the prescribed procedure under Rule 56 of the Delhi Excise Rules, 2010.

1.2. The aforementioned directions were applied *mutatis mutandis* by the Division Bench in order dated 26th February, 2024 in LPA 195/2023 as well



as in order dated 18th March, 2024 in LPA 217/2024.

1.3. The order passed in LPA 195/2023 was assailed by GNCTD through S.L.P.(C) 13919/2024, which was dismissed by the Supreme Court *vide* order dated 26th July, 2024, declining to interfere with the High Court's judgment.

1.4. Taking note of this order of the Supreme Court, the Division Bench has thereafter confirmed the aforementioned directions for disposal of liquor stock through order dated 12th August, 2024 in LPA 193/2024 as well as in LPA 206/2023.

2. In view of the above developments, placing reliance on the orders of the Division Bench, the Applicants seek similar directions for the Respondents to dispose of the stocks lying in the their premises in a time bound manner.

3. Mr. Prashant Manchanda, Additional Standing Counsel for GNCTD, is agreeable and states that they shall act at the earliest and transfer/relocate the stock not later than two weeks from today.

4. Accordingly, the application is allowed and disposed of.

W.P.(C) 5661/2023

5. In light of the directions issued by the Division Bench as well as the aforementioned statement made by Mr. Prashant Manchanda, ASC for GNCTD, the present writ petition is disposed of with the following directions:

5.1. The Respondent Authorities shall de-seal the subject premises and duly intimate the Petitioners about the same. Upon de-sealing, the Petitioners' possession of the subject premises shall be restored.

5.2. The Respondents shall, within the next two weeks, remove all stocks



of liquor, as well as materials, apparatus, etc., lying in the subject premises, i.e. Shop Nos. 25-28, area measuring 14.99 Sq. mtr approx. each, on ground floor with roof/terrace rights, situated at C.S.C, Block-B, Janak Puri (Shiv Nagar) New Delhi – 110058.

5.2. In disposing of the stock, Respondents shall follow the procedure prescribed under Rule 56 of the Delhi Excise Rules, 2010.

6. With the above directions, the present petition is disposed of.

7. The next date of hearing, i.e. 5th November, 2024, stands cancelled.

SANJEEV NARULA, J

AUGUST 30, 2024

ab