



\$~88

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 761/2025 & CM APPL. 3805/2025

DELHI DISTILLERS AND BREWERS ASSOCIATION

.....Petitioner

Through: Mr. Darpan Wadhwa, Sr. Adv.
alongwith Mr. Tanmaya Mehta, Ms.
Rashmi Gogoi, Mr. Yash Gaur, Mr.
Rushab Aggarwal, Mrs. Riddhima J.
Aggarwal, Advocates.

versus

DSIIDC AND ORS.

.....Respondents

Through: Mr. Sandeep Sethi, Sr. Adv.
alongwith Mr. Ariyadeep Roy, Mr.
Onkar and Mr. Harsh Makhija,
Advocates for United Spirits.
Mr. Amit Tiwari, CGSC, Ms. Nidhi
Raman, CGSC and Ms. Shiva
Lakshmi, CGSC for UOI.
Mr. Nidhi Raman, CGSC alongwith
Mr. Zubin Singh, Adv. UoI.
Mr. Harshit Chopra, Adv. for R4.
Mr. Prashant Manchanda, ASC for
GNCTD alongwith Ms. Nancy Shah
and Mr. Angad Singh, Advs. for R5, 7
to 12.
Mr. S. Ganesh, Sr. Adv. alongwith
Mr. Sandeep Chilana and Mr. Snehil
Sharma, Advocates for (International
Spirits & Wines Association of
India).

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

21.01.2025

%

CM APPL. 3775/2025

1. Allowed, subject to all just exceptions.



2. Application stands disposed of.

W.P.(C) 761/2025

3. The petitioner is an association comprising of holders of L-1 licenses issued under the Delhi Excise Act, 2009 who are engaged in wholesale supply of liquor. The petition assails an SOP issued by the respondent no(s). 1 to 4 corporations, who are the L-6 Licensees for vending liquor under Delhi Excise Act, 2009. The said SOP essentially devises a formula for determining the brand wise quantum of liquor to be ordered.

4. At the outset, learned senior counsel for the petitioner draws attention to the minutes of the meeting dated 20.01.2025, held under the Chairmanship of ACS (Finance), which reads as under:-

*“GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE COMMISSIONER OF EXCISE, ENT&LUXURY
TAX, L-BLOCK: VIKAS BHAWAN: I.P. ESTATE: NEW DELHI:- 110002*

MINUTES OF MEETING

A meeting under the Chairmanship of ACS (Finance) was held on 20/01/2025 at 5:30 PM in his chamber, to deliberate upon the objections/suggestions received from stakeholders on the SOP on ordering pattern of liquor, formulated by the Corporations. The following officers were present in the meeting:-

- 1. Ms. Niharika Rai, MD, DTTDC.*
- 2. Sh. Ravi Dhawan, MD, DSIIDC*
- 3. Sh. Ravi Jha, Commissioner (Excise)*
- 4. Sh. Kumar Abhishek, GM, DSCSC and DCCWS*

The Committee requested the Corporations and the Excise Department to examine the representations on merits and as per rules and come back to the committee. In the meantime, the corporations have been requested not to operationalise the SOP.

The meeting ended with vote for thanks to the Chair.

-SD-

(V.P.Jha)

ASSISTANT COMMISSIONER (ADMIN.)”



5. Learned senior counsel for the petitioner submits that since the aforesaid minutes records that corporations have been requested not to operationalise the SOP, he does not wish to press the present petition at this stage, however, reserving liberty to make further representation/s in terms of the said minutes, and/or availing appropriate remedies in the event of non-consideration thereof.
6. Learned counsel for the Excise Department, who appears on advance notice, also confirms that the impugned SOP has been kept in abeyance.
7. Learned senior counsel for United Spirits and the International Spirits & Wines Association of India, submit that they have filed applications for impleadment in the present petition (which are not yet on record). They seek to justify the impugned SOP.
8. However, since the petitioners seeks to withdraw the present petition, there is no occasion for this Court to examine the legality or otherwise of the impugned SOP. Needless to say, all aspects of the matter shall be considered by the concerned authorities, in accordance with law.
9. In view of the aforesaid, the present petition is dismissed as withdrawn with liberty as prayed for.
10. It is made clear that this Court has not expressed any opinion as regards merits of the proposed representation/s to be made by the petitioner.
11. All rights and contentions of all the stakeholders are kept open; it is made clear that this Court has not expressed any opinion with regard thereto.

JANUARY 21, 2025/at

SACHIN DATTA, J