

(2019) 09 CHH CK 0058

Chhattisgarh High Court

Case No: Writ Petition (C) No. 2906 Of 2019

Hotel Punjab Lodge And
Restaurant New Bus Stand

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Sept. 9, 2019

Acts Referred:

- Chhattisgarh Excise Act, 1915 - Section 62(2G)

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Rajbahadur Singh, Avinash Singh

Final Decision: Dismissed

Judgement

Goutam Bhaduri, J

1. Heard.

2. The case of the petitioner is that he was granted a FL-3 license to run a bar in the hotel. Subsequently, as per the direction of the Hon'ble Supreme Court in the matter of Arrive Safe Society of Chandigarh Vs. The Union Territory of Chandigarh in Special Leave Petition (Civil) No. 10243 of 2017.

The FL-3 license was cancelled which was subject of challenge before this Court. This Court by a petition WPC No. 2585 of 2017 wherein this Court

on 20.09.2017 has passed the following orders:-

(6) After hearing learned counsel for the parties and in view of the aforesaid modification made by the Supreme Court, the State Government is

directed to consider the case of the petitioner for renewal of license of liquor bar, strictly in accordance with direction given by the Supreme Court in

the matter of Arrive Safe Society of Chandigarh (supra) in Special Leave Petition (Civil) No. 10243 of 2017.

3. It is stated before such order was passed the license of the petitioner was canceled on 12.04.2017 which was not made known to the petitioner.

Subsequently after passing of the order petitioner has filed a representation by Annexure P-5 for renewal of the license. Since, the statutory appeal is

provided under Section 62 (2G) of the Chhattisgarh Excise Act, 1915, therefore, no purpose will be served if direction is given to decide the

representation. The petitioner shall be at liberty to file an appeal if so aggrieved.

4. Accordingly the petition is dismissed.