

# **THE HIGH COURT OF MADHYA PRADESH**

**W.P. No. 7390/2020**

*(M/s Govardhan Nath & Company vs. State of M.P.)*

**Jabalpur, Dated: 13.05.2020**

## **Hearing Through Video Conferencing:**

Shri Alok Katare, Advocate for the petitioner.

Shri P.K. Kaurav, Advocate General with Shri Rajeshwar Rao, Government Advocate for the respondents/State, on advance notice.

Heard.

The petitioner by filing this writ petition, *inter alia*, has prayed for the following reliefs:-

- (i) The order Annexure P/1, Annexure P/2 and order Annexure P/3 so far as it relates to demand of the License Fees of 10 days from 21.03.2020 to 31.03.2020 may kindly be quashed for the period the shop remained closed.
- (ii) That, the respondent be directed to grant exemption to the petitioner of license fees of 10 days from 21.03.2020 to 31.03.2020 for the License Liquor Shops of the Group GWL/F-29 (Naya Bazar) which includes two shops one is Foreign Liquor Shop at Naya Bazar and Country Liquor Shop at Naya Bazar and also of the Group GWL/C-16 (Sikandar Kampoo) which includes the Shops of Foreign Liquor Shop at Hem Singh Ki Parade and Country Liquor Shop at Sikandar Kampoo for the year 2019-2020.”

After arguing for some time, learned counsel for the petitioner submitted that the petitioner had submitted a representation (Annexure P-11) for the reliefs claimed in the writ petition, which was rejected vide Annexure P-1 without affording any opportunity of hearing. However, the prayer was made that the petitioner may be allowed to withdraw the present petition with a liberty to file a detailed and comprehensive representation through e-mail within a week and a direction be issued to the respondent No.2 – Excise Commissioner of M.P., Moti Mahal, Gwalior to decide the same in a time

bound manner by affording an opportunity of hearing to the petitioner.

Learned Advocate General assured the Court that in case the petitioner or its representative submits a representation in that regard through email within a week, as undertaken by the petitioner, the same shall be considered and decided by the respondent No.2 within next two weeks by passing a speaking order in accordance with law and due opportunity of hearing through video conferencing will be afforded to the petitioner or his representative.

In view of the said fact, the present petition stands **disposed of**.

Needless to say that in case the fresh representation, as undertaken, is submitted by the petitioner within a week, the same shall be decided by the respondent No.2 by passing a speaking order in accordance with law within the next two weeks therefrom and the respondent No.2 shall not be influenced or take into consideration the document Annexure P-1, which had been passed without affording opportunity of hearing to the petitioner in pursuance to its earlier representation Annexure P-11.

(AJAY KUMAR MITTAL)  
**CHIEF JUSTICE**

(VIJAY KUMAR SHUKLA)  
**J U D G E**

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