

WP(C) 1795/2009
BEFORE
HON'BLE THE CHIEF JUSTICE MR.MADAN B. LOKUR

The petitioner had applied for the grant of a licence for the Bonded & Wholesale Sale Vend of Foreign Liquor for the Consumption Off the Premises in Tinsukia.

According to learned counsel for the petitioner, the application has been pending since it was made on 1.11.2008. The apprehension of the petitioner is that in view of the letter dated 23rd February, 2006 issued by the Commissioner of Excise, Assam to the Deputy Commissioner, Tinsukia read with W.T. Messages dated 19.10.2006 and 5.2.2009, the application is not likely to be considered. It is submitted by learned counsel for the petitioner that no statistics have been given by the respondents in coming to their conclusion in the letter dated 23rd February, 2006.

I find from the affidavit-in-opposition filed by Respondent No.2 that there are three bonded warehouses located in Tinsukia District. This bald statement on affidavit filed on behalf of the authorities in Tinsukia does not advance the case of the respondents at all.

Under the circumstances, the Deputy Commissioner, Tinsukia is directed to process the application of the petitioner and to pass a speaking order thereon one way or another within a period of six weeks from today. In other words, the application of the petitioner may be accepted or rejected, but with reasons.

With this direction, this writ petition stands disposed of.