



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 19 of 2025

In the matter of Suo Moto Public Interest Litigation

versus

The State of Chhattisgarh & Others

Order Sheet

07/03/2025	This is an office reference. Heard Mr. Y.S.Thakur, Additional Advocate General for the State/respondents No. 1 to 5 and 7 as well as Mr. Ashish Tiwari, learned counsel for the respondent No. 6. Pursuant to the order dated 06.02.2025, the Commissioner, Municipal Corporation, Bilaspur has filed an affidavit on 06.03.2025, the relevant portion of which reads as under: <i>“3. The answering deponent respectfully submits that he has highest regard and respect towards this Hon'ble Court and the judgment, directions or orders which are passed by this Hon'ble Court and has always acted in compliance of the orders which are passed by this Hon'ble Court.</i> <i>4. It is submitted that in compliance of the order passed by this Hon'ble Court on 06/02/2025, the deponent herein visited the shop located at Sirgitti</i>

along with the officials of the Municipal Corporation, Bilaspur. It is submitted that upon visiting the shop the deponent herein not only issued necessary direction at the spot for smooth flow of traffic and to avoid any situation of nuisance being created in the vicinity of the liquor shop but also imposed fine of Rs. 20,000/- upon the Liquor shop and imposed fine of Rs. 10,500/- upon the nearby shops which were selling /using the prohibited materials such as single use plastic etc.

5. Furthermore, in order to avoid the congestion of traffic the deponent herein directed that the sale of liquor be carried out from the backside of the liquor shop i.e., (अहाता) and further directed the officials of Excise Department to deploy two guards near the liquor shop to ensure smooth flow of traffic.

6. It is respectfully submitted that the deponent herein also issued strict orders to the officials of the Excise Department and Zone Office of Municipal Corporation and the staff of the liquor shop to ensure that the consumption of liquor does not take place by encroaching upon the roads / streets near the vicinity of Liquor Shop and that strict measures be taken to ensure free flow of traffic and situation of congestion or any sort of nuisance be avoided at all cost.

7. The answering Deponent respectfully submits that the establishment, operation, maintenance and the decision with respect to establishing the liquor shop is beyond the jurisdiction of the Municipal Corporation, Bilaspur and it's officials and the said exercise is under the jurisdiction and domain of the

Excise Department and its authorities and therefore the authorities of Excise Department have been directed to take necessary steps in compliance of the order passed by this Hon'ble Court and to uphold the intent and spirit of the order of this Hon'ble Court viz is to reduce congestion and to avoid any sort of mishappening or untowards situation near the vicinity of liquor shop.

8. In addition to the aforesaid, it is submitted that necessary steps have been taken by the Officials of the Corporation to ensure cleanliness near the vicinity of the liquor shop and the respondent herein as well as the concerned Zone Commissioner along with team of officers of Municipal Corporation is visiting the shop at question on regular basis to ensure that the directions of this Hon'ble Court are implemented in its letter and spirit.

9. The answering deponent respectfully submits that necessary steps are taken to ensure compliance of the order passed by this Hon'ble Court."

From perusal of the above affidavit, it transpires that not only on the liquor shop situated but other shops situated in the Sirgitti area which were creating nuisance and congestion in the smooth flow of the traffic, fine has been imposed who were found selling the prohibited materials such as single use plastic. Further, the liquor shop has been directed to carry on his business from the backside of the shop to avoid any congestion on the road. Further, strict orders have been issued by the officials of the Excise Department and Zone Office of Municipal Corporation directing that consumption

of liquor does not take place by encroaching over any part of the roads/streets near the vicinity of the liquor shop. Since the liquor shops are under the direct control of the Excise Department, the Excise Department has been requested to take necessary steps in compliance of the order passed by this Court. It has further been stated that the Zone Commissioner alongwith other officers of the Municipal Corporation are visiting the said place on regular basis as per the directions of this Court.

In view of the above, let this matter be listed again for further monitoring on **2nd April, 2025**.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

Amit

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