



## 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

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>28/08/2025</b> | <p>This is an office reference.</p> <p>Heard Mr. Prafull N. Bharat, learned Advocate General assisted by Mr. Jirendra Shrivastava, learned Government Advocate, appearing for the State/respondent Nos. 1 to 5 and 7 as well as Mr.Ashish Tiwari, learned counsel, appearing for respondent No.6.</p> <p>In compliance of the Court's order dated 18.08.2025, an affidavit has been filed by the Incharge Assistant Commissioner Excise, Bilaspur, relevant portion of the said affidavit reads as under :-</p> |

ROHIT  
KUMAR  
CHANDRA  
Digitally signed  
by ROHIT  
KUMAR  
CHANDRA

*“3. The Deponent most respectfully submits that he is posted as Assistant Commissioner, Incharge. It is submitted that the Chantidih liquor shop is situated in Chantidih Mohalla, near Sanichari Market and the same caters to the needs of the people residing in that adjoining locality. It is submitted that taking note of the fact that there is scarcity of opening up space for Ahata (Compound adjacent to the liquor shop) it was decided not to open Ahata in the said liquor shop. The deponent most respectfully submits that normally the customer visits the shop, purchase the desirable items and go to their respective place for consuming the same. It is submitted that from time to time Department of Excise as well as the Police Administration keeps vigil of the persons who are found drinking in the open places.*

*4. That, it is most respectfully submitted that the area in front of the Chantidih liquor shop was encroached upon by various persons. The Municipal Corporation, Bilaspur carried out an administrative drive and removed all the encroachers over the said land. It is submitted that due to removal of the illegal encroachment the area has turned to*

*be a vacant place. It is further submitted that beside the open area there is vegetable market and after removal of the encroachers sometimes some of the persons consume alcohol in the open area situated in front of the shop and throw away the disposal glasses, water pouches and poly bags of certain food items. It is most respectfully submitted that clear directions have been issued to the Excise Inspector of the concerned area and the other sub-ordinate staff to take round of the area on routine intervals and to ensure that no one is found drinking at open place.*

*5. That, it is further submitted that the Excise Department has registered case under the provisions of 36 (C) and 36 (F) of the Chhattisgarh Excise Act 1915 against the persons who have been found drinking openly or providing place for drinking in the concerned area. A copy of the action taken by the Department in a chart form alongwith a crime numbers is annexed herewith as ANNEXUREA/1.*

*6. That, it is further submitted that a specific direction has been issued to the*

*officer of the concerned area vide order dated 18.08.2025 to take immediate action with respect to parking and to ensure that open drinking is not committed and remove all the persons who are engaged in the illegal activity, further action taken by the Department has been published in the daily newspaper of Bilaspur Bhaskar, Edition 26th August, 2025. Copy of the order dated 18.08.2025 alongwith the newspaper clipping of 26.08.2025 is annexed herewith as ANNEXURE A/2.*

*7. That, the Excise Department is regularly keeping watch in the entire area and making every possible effort to ensure that liquor is not consumed in the open place.*

*8. That, the Deponent most respectfully submits that every steps have been taken to ensure that there is no illegal manufacturing or sale of liquor in the concerned area and no inconvenience is caused to public at large.”*

From bare perusal of the aforesaid affidavit, it goes to show that the liquor shop in question is a licensee liquor shop and the persons, who were found consuming liquor openly or providing place for drinking

liquor in the concerned area, FIRs have been registered against them under Section 36C and 36F of the Chhattisgarh Excise Act, 1915 and the Excise Department is also regularly keeping watch in the entire area and making every possible effort to ensure that liquor is not consumed in the open place.

List this case for further monitoring on **07<sup>th</sup> of October, 2025**.

Sd/-  
**(Bibhu Datta Guru)**  
Judge

Sd/-  
**(Ramesh Sinha)**  
Chief Justice