M/s Unique Wines vs. State of Himachal Pradesh and others

CWP No. 10295 of 2026

25.06.2026 **Present:** Mr. Ajay Vaidya, Advocate, for the petitioner.

Mr. Ramakant Sharma, Additional Advocate General, for respondents No. 1 to 3.

Mr. Mohit Thakur, Advocate, for respondent No. 4.

Mr. Shekhar Badola, Advocate, vice Mr. Rahul Thakur, Advocate, for respondent No. 5.

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Notice. Mr. Ramakant Sharma, Additional Advocate General, Mr. Mohit Thakur, Advocate and Mr. Shekhar Badola, Advocate, vice Mr. Rahul Thakur, Advocate, under instructions, appear, waive and accept service of notice on behalf of respondents No. 1 to 3, respondent No. 4 and respondent No. 5, respectively.

It is case of the petitioner that he has been granted L-2 licence for conducting sale of liquor as permissible under L-2 licence and for that purpose three shops, i.e., shops No. 11, 12 and 13 have been allotted by the Excise Department to the petitioner for running his business, in consonance with licence/rent agreement dated 01.07.2025. These shops belong to respondents No. 4 and 5 and have been leased out to the Excise Department by respondents No. 4 and 5 and, thereafter, these shops have been allotted by the Excise Department to the petitioner.

It is further case of the petitioner that now land, upon which aforesaid shops are situated, has been transferred to the Municipal Corporation, Hamirpur and, therefore, lease granted in favour of Excise Department has been cancelled by respondents No. 4 and 5 with direction to Excise Department to hand over the possession of shops and Excise Department has asked the petitioner to vacate the shops.

Learned counsel for the petitioner, referring to Clause 10.34 of Excise Policy for the Financial Year 2026-27 submits that it is duty of the Excise Department/District Collector to provide alternative land in the interest of Government revenue to the petitioner, atleast for building a temporary structure on reasonable rent, but instead thereof, petitioner is being asked to arrange shops somewhere else and petitioner is not in a position to arrange shops and, thus, the space is required to be provided, as per Excise Policy enforced by the District Collector/Deputy Commissioner State Taxes and Excise.

In response, learned Additional Advocate General as well as learned counsel for respondents No. 4 and 5, seek one week's time to have complete instructions in the matter.

Time, as prayed, is granted.

In the meanwhile, parties are directed to maintain *status quo* as exists on date, with respect to shops No. 11, 12 and 13 in reference, till next date.

List for consideration on **08.07.2026**.

Name of Mr. Mohit Thakur, Advocate, be reflected in the cause list, as counsel for the respondent No. 4, in future.

CMP No. 15159 of 2026

List for consideration along with main petition on next date.

(Vivek Singh Thakur)
Judge

(Ranjan Sharma)
Judge

25th June, 2026
(Susheel)