



2026:HHC:39997

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16346 of 2026
Date of Decision: 18.9.2026

Rohit Chauhan and Co.

.....Petitioner

Versus

State of Himachal Pradesh and Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioner: Mr. Ajay Vaidya, Advocate.

For the Respondents: Mr. Anup Rattan, Advocate General, Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General.

Sandeep Sharma, J. *(Oral)*

Being aggrieved and dissatisfied with order dated 15.09.2026 passed by the Collector Excise, Southern Zone, Shimla, H.P., whereby liquor vend of petitioner has been ordered to be sealed on account of his failure to pay licence fee to the tune of Rs. 3,78,69,821/-, petitioner has approached this Court in the instant proceedings.

2. Precisely, the case of the petitioner is that though in terms of allotment made to him of the liquor vend at Kasauli, he has deposited sum of Rs. 4,70,00,000/- till date, but on account of financial crunch, could not pay the licence fee in the months of June, July and August 2026, but



closure of vend, if any, in terms of impugned order shall not serve the purpose, rather respondent-State by permitting the petitioner to run the vend allotted to him, shall earn revenue.

3. Mr. Ajay Vaidya, learned counsel representing the petitioner, on instructions, states that total liability of Rs. 3,78,69,821/- shall be cleared by the petitioner on or before 30.11.2026, but petitioner may be permitted to run the liquor vend subject to his depositing a sum of Rs. 50,00,000/- and he will also deposit monthly licence fee regularly.

4. While responding to the aforesaid statement made by Mr. Vaidya, learned counsel representing the petitioner, Mr. Anup Rttan, learned Advocate General, on instructions, states that in case petitioner, with a view to show his bona fides, deposits Rs. 50,00,000/- by tomorrow i.e. 19.9.2026 and thereafter, furnishes an undertaking that he will clear the outstanding liability on or before 30.11.2026, respondent-State shall have no objection in de-sealing the liquor vend.

5. At this stage, Mr. Vaidya, states that since today there is some local fair in Kasauli, petitioner proprietor firm may earn some revenue in the event of its being allowed to run the liquor vend today itself. He states that petitioner shall deposit Rs. 15,00,000/- today by 4:00 PM and remaining Rs. 35,00,000/- shall be deposited positively by 4:00 PM



tomorrow and in case aforesaid amount is not deposited, respondent-State would be at liberty to re-seal the vend.

6. Since petitioner is ready and willing to pay the entire amount, as detailed in the impugned order coupled with the fact that respondent-State has no objection in reopening the vend subject to terms and conditions as detailed herein above, this Court, with a view to settle the controversy for all times to come, deems it fit to dispose of the present petition with following directions:

- i. Petitioner-firm shall deposit Rs. 50,00,000/- on or before 4:00 PM tomorrow i.e. 19.09.2026 and in case, it is able to deposit Rs. 15,00,000/- by 4:00 PM today, respondent-Excise Department shall de-seal the liquor vend, enabling the petitioner firm to run the business henceforth. However, in the event of non-payment of remaining amount of Rs. 35,00,000/- by 4:00 PM tomorrow, respondent-State would be at liberty to re-seal the liquor vend.
- ii. Remaining sum of Rs. 3,28,69,821/- shall be paid by the petitioner in five equal installments amounting to Rs. **65,73,964/-** each, payable on 30.09.2026, 15.10.2026, 31.10.2026, 15.11.2026 and 30.11.2026.



7. In case petitioner makes any default in paying installments as indicated above, respondent-Excise Department would be at liberty to re-seal the vend and thereafter, no opportunity shall be provided to the petitioner.

8. Needless to say, aforesaid settlement arrived inter se parties has nothing to do with the amount otherwise payable by the petitioner in terms of Excise Policy i.e. regular monthly licence fee from September 2026 onwards, which the petitioner shall continue to pay regularly as and when it falls due.

9. With the aforesaid directions, present petition is disposed of, along with pending application(s), if any.

September 18, 2026

(manjit)

**(Sandeep Sharma),
Judge**