

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 5449/2024

Sunil Bhand S/o Sita Ram, Aged About 45 Years, R/o Maharaja
Pratap Colony Nagaur, District Nagaur, Raj.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary (Excise),
Government Of Rajasthan, Secretariat, Jaipur
2. Commissioner, Excise Department, Government Of
Rajasthan, 2, Gumaniwala, Panchawati, Udaipur
3. District Excise Officer, District Nagaur.
4. Excise Inspector, Circle Nagaur, Nagaur

-----Respondents

For Petitioner(s) : Mr. Binja Ram

For Respondent(s) : Mr. Mahaveer Bishnoi, AAG

HON'BLE DR. JUSTICE NUPUR BHATI

Order

01/05/2024

1. Learned counsel for the petitioner submits that without issuing the notice to the petitioner under Section 34 of the Rajasthan Excise Act, 1950, the respondent No.3 has proceeded to pass the order dated 29.02.2024 (Annexure-3). He further submits that in the impugned order dated 29.02.2024 (Annexure-3) it has been mentioned that the petitioner has been repeatedly issued notices, however the petitioner has failed to deposit the guarantee amount but such notices have not been served upon the petitioner.
2. Issue notice to the respondents. Issue notice to the stay application as well.

3. As Mr. Mahaveer Bishnoi, AAG has already put in appearance for the respondents, no need to issue notice.
4. In the meanwhile and till next date, effect and operation of the order dated 29.02.2024 (Annexure-3) passed by the District Excise Officer, Nagaur shall remain stayed.
5. Connect with SBCWP No.5014/2024 and list on 06.05.2024, as prayed.
6. Office is directed to reflect the name of Mr. Mahaveer Bishnoi, AAG as counsel appearing for the respondents in the cause list.

(DR.NUPUR BHATI),J

78-ajayS/-