ITEM NO.22 Court 3 (Video Conferencing) SECTION XV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 14343/2017

(Arising out of impugned final judgment and order dated 20-01-2017 in DBSAW No. 1249/2016 20-01-2017 in SBCWP No. 4749/2013 passed by the High Court of Judicature for Rajasthan at Jaipur)

PRADEEP PARWANI Petitioner(s)

VERSUS

STATE OF RAJASTHAN SECRETARIAT AND ORS. & ORS. Respondent(s)

Date : 05-01-2022 This petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Samar Vijay Singh, AOR

For Respondent(s) Dr. Manish Singhvi, Senior Advocate
Mr. Arpit Parkash, Advocate
Mr. Milind Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the petitioner was at pains to persuade us to take the view that breach committed by the petitioner during the previous financial year (licence period) cannot be the basis to cancel the licence once renewed for the subsequent financial year much less to forfeit the licence money in reference to the mandate of Section 34(3) of the Rajasthan Excise Act, 1950. This argument does not commend to us.

Signature Not Verified
Digitally signed by NEETU KHANDURIA
Date: 2022.01.07 15:57:36 IST
Reason:

In our opinion, the action taken against the petitioner regarding cancellation of his licence, including forfeiture of licence fee for the relevant period is in connection with breach

committed by the petitioner when the licence was subsisting. That cause of action would continue despite renewal of licence for the subsequent financial year.

Hence, no interference is required. The special leave petition is disposed accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)