

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. OF 2026
(@ SLP (C) No. OF 2026)
(@ DIARY NO. 50443 OF 2026)

STATE OF U.P. & ORS.

Appellant(s)

VERSUS

PRADEEP KUMAR SINGH

Respondent

O R D E R

1. Delay condoned.

2. Leave granted.

3. This appeal is directed against the order dated 24.03.2026 passed by the High Court of Judicature at Allahabad (High Court) whereby the order of the Licensing Authority cancelling the country liquor license for the excise year of 2018-2019 and forfeiting the basic license fee and security deposit and the order of the Appellate and Revisional Authority affirming the same have been quashed and set aside.

4. Facts giving rise to filing of this appeal briefly stated are that the respondent was allotted a country liquor shop on 19.03.2018 in Pilikothi, District Varanasi. In pursuance of the order of allotment, the respondent deposited a basic license fee of Rs. 20,08,608/- and security deposit of Rs. 15,92,540/-. The

respondent also executed a rent agreement in respect of a shop at Pilikothi Shahar, District Varanasi with the owner of the property.

5. The Excise Department conducted a survey on 12.06.2018 in which it was found that the respondent was running a shop in another location. The District Excise Officer on 19.07.2018 issued a notice stating that the respondent was running country liquor shop at a different location instead of allotted location and directed the production of layout of shop. On 23.07.2018, the respondent submitted a reply to the aforesaid show cause notice.

6. The Licensing Authority on 29.12.2020 passed an order directing cancellation of license of the respondent country liquor shop and forfeited the basic license fee and security deposit. The said order was affirmed by the orders dated 25.08.2021 and 11.07.2022 passed by the Appellate Authority and the Revisional Authority, respectively.

7. Being aggrieved, the respondent challenged the same in a Writ Petition. The learned Single Judge by an order dated 24.03.2026 allowed the Writ Petition and quashed the orders passed by the Licensing, Appellate and Revisional Authorities. The appellant was directed to refund the basic license fee and security amount deposited to the respondent within a period of three months.

8. Mr. Namit Saxena, learned counsel for the appellant submitted that the impugned order passed by the High Court is cryptic in nature and does not assign any reasons. It is submitted that in any case the High Court ought to have appreciated that the State is entitled to retain the amount of Rs. 9,46,941/- that is loss on account of the Minimum Guaranteed Quota (MGQ).

9. On the other hand, Mr. Ashwani Kumar Dubey, learned counsel appearing for the respondent supported the order passed by the High Court.

10. We have considered the rival submissions and have perused the record. On perusal of the record, we find that the order passed by the High Court is cryptic and suffers from vice of non-application of mind. The issues arising out of the pleadings and the contentions raised before us, have not been adverted to by the High Court in the impugned order. We are, therefore, left with no option but to set aside the same and remit the matter to the High Court to decide the writ petition afresh. It is clarified that this Court has not expressed any opinion on the merits of the case. We keep it open to the parties to raise all their contentions before the High Court and it is for the High Court to consider it. In view of the fact that the matter has been pending since long, we request the High Court to take it up and dispose it of expeditiously.

11. Accordingly, the appeal stands disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
OCTOBER 07, 2026

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 50443/2026

[Arising out of impugned final judgment and order dated 24-03-2026 in WT No. 1443/2022 passed by the High Court of Judicature at Allahabad]

STATE OF U.P. & ORS.

Petitioner(s)

VERSUS

PRDEEP KUMAR SINGH

Respondent(s)

IA No. 281926/2026 - CONDONATION OF DELAY IN FILING

IA No. 281936/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 281934/2026 - EXEMPTION FROM FILING O.T.

Date : 07-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) :Mr. Apoorva Agarwal, A.A.G.
Mr. Namit Saxena- 2887, AOR

For Respondent(s) :Mr. Ashwani Kumar Dubey- 1797, AOR
Ms. Garima Sharma, Adv.
Mr. Kumar Mangalam, Adv.
Mr. Gaurav Mishra, Adv.
Mr. Ganesh Kumar Malviya, Adv.

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

1. Delay condoned.
2. Leave granted.
3. The Civil Appeal stands disposed of in terms of the Signed Order.
4. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)
ASTT. REGISTRAR-cum-PS

(NIDHI WASON)
ASSISTANT REGISTRAR

(Signed Order is placed on the file)