

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1939 of 2014

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1. Om Prakash Mandal S/O Shri Haridas Mandal Resident Of Radha Nagar, P.O. Radha Nagar, P.S. Radha Nagar, District - Sahibganj, Jharkhand, Presently Residing At C- 204, Okhandiyar Complex, Bhagalpur Town, P.O. And P.S. Adampur, District – Bhagalpur Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Vikash Bhawan, Patna
3. The Commissioner of Excise, Bihar, Patna
4. Shri Vijay Ranjan, Deputy Secretary, Registration, Excise and Prohibition Department, Bihar, Patna Respondent/s

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Appearance :

For the Petitioner/s : Mr Y.V.Giri, Sr. Advocate
Mr. Bipin Kumar

For the Respondent/s : Mr. Ranjeet Kumar, AC to PAAG

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 01-04-2015

It is the stand of the learned senior counsel for the petitioner that Annexure- 6 is a cryptic order, which does not reflect any application of mind with regard to show cause furnished by the petitioner contained in Annexure- 5. To some extent, the submission of the counsel is correct. Annexure- 6, dated 13.12.2013 is quashed. The matter is remanded back to the Commissioner, Excise –cum- Registration, Government of Bihar, who will pass a detailed order as to why such a punishment is required to visit the petitioner after considering the explanation offered by him.

Writ is allowed in terms of the above.

(Ajay Kumar Tripathi, J)

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