

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4090 of 2016

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Dr. Mahesh Prasad, Son of Late Guru Sahay Lal, Resident of Mohalla-Bahadurpur, P.S. - Bahadurpur, District - Patna, Mahesh Homoeopathic Laboratories North of Nalanda Medical College, Bahadurpur, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna - 800015.
2. The Principal Secretary, Registration Excise and Prohibition Department Vikas Bhawan, Bailey Road, Patna Govt. of Bihar.
3. The Commissioner, Excise Department, Government of Bihar, Patna.
4. The Deputy Commissioner, Distillery & Ware - Houses, Vikash Bhawan, Government of Bihar, Patna.
5. The Assistant Commissioner, Excise Department, Collectorate, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Awadhesh Prasad Sinha & Mr. Kumar Mritunjay Narain, Advocates.
For the State	:	Mr. Lalit Kishore, PAAG.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 04-03-2016

Heard learned counsel for the parties.

At the very outset, learned counsel for the State submits that an order has been passed by the respondent no. 3 by which the petitioner has been allowed to pick up his quota of rectified spirit but the same has to be done by 20.03.2016. On objection raised by learned counsel for the petitioner that the validity of the licence was till 31st March, 2016 at the end of the financial year 2015-16, learned counsel for the State is not in a position to explain.

Accordingly, the stipulation at clause-7 of the order of the respondent no. 3 dated 03.03.2016 as contained in Memo

No. 1225 stands modified to the extent that the validity of the order shall be till 31.03.2016 instead of 20.03.2016 in view of the fact that the new Prohibition Policy of the State comes into effect only from 1st April, 2016. The petitioner shall be entitled to lift their quota as per the entitlement.

The writ petition stands disposed off in the aforementioned terms.

Copy of the order dated 03.03.2016 contained in Memo No. 1225, produced by the State is being kept on record.

(Ahsanuddin Amanullah, J.)

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