

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2231 of 2016

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1. Chandra Mohan Shahi Son of Sri Mauli Shahi Resident of Shahi Niwas, Police station -Cantt, Mohalla- Padleyganj, District Gorakhpur, Uttar Pradesh, At Present Posted as Superintendent, Excise, Madhubani, P.S, Town District -Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Registration, Excise and Prohibition, Government of Bihar, Patna.
2. The Excise Commissioner, Govt. of Bihar, Vikas Bhawan, New Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr P.K.Shahi, Sr. Advocate

Mr. Sanjay Kumar Tiwari

For the Respondent/s : Mr. A.N. SINHA- GP11

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 18-03-2016

If the ban imposed by the General Administration Department dated 12.8.2014 is the primary reason for non-consideration of the claim of the petitioner, that ban does not subsist any more because the said circular or order stands quashed by this Court.

Learned senior counsel for the petitioner specifically takes the names of two persons, namely, Krishna Kumar and Vikash Kumar Sinha as candidates, who are junior to the petitioner and have been granted promotion to the post of Assistant Commissioner of Excise under Government of Bihar.

The Principal Secretary, Department of Registration,

Excise and Prohibition, Government of Bihar will examine this factual aspect of the mater and if it is found to be correct and true, then surely remedial measures will require to be taken by also considering and recommending promotion of the petitioner, if there is no other legal impediment in his way of such consideration. Such a decision should be taken preferably within a period of three months from the date of production of a copy of this order.

Writ stands disposed of with the above direction.

(Ajay Kumar Tripathi, J)

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