

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2218 of 2015
IN
Civil Writ Jurisdiction Case No. 7319 of 2011**

=====

Phoolan Prasad Son of late Balam Prasad Resident of Mohalla- Jawahar tola,
Mushar Toli Ke Paschim,P.S. Ara Nawada, District Bhojpur.

.... Petitioner / Appellant

Versus

1. The Union of India through the Chief Commissioner, Central Excise, Central Revenue Building, Birchand Patel Path ,Patna-1
2. The Commissioner of Central Excise, Central Revenue Building, Birchand Patel Path, Patna-1
3. The Joint Commissioner (Prev) Central Excise and Service Tax, C.R. Building, Birchand Patel Path, Patna-1
4. The Assistant Commissioner (Prev), Central Excise (H) Central Revenue Building, Patna-1
5. The Superintendent, Central Excise (Prev), H.Q. Patna-1
6. The Chief Accounts Officer, Central Excise (H), Patna-1
7. Sri Shamrendra Singh, Ex Inspector, Central Excise (H), Patna.-1

.... Respondents / Respondents

=====

Appearance:

For the Appellant/s : Mr. Pranav Kumar, Advocate.

For the Respondent/s : Mr. S.D. Sanjay, Addl. Solicitor General and
Mr. Akshay Bahadur Mathur, CGC.

=====

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 14-11-2017

Heard learned counsel for the appellant and learned
Additional Solicitor General representing the Union of India.

Enough litigation has happened on the issue of the reward
which the appellant is entitled to earn from the Central Excise
department for acting as an informer. The issue relates to the year
1993. Payments have been made to the appellant. His expectation



outweighs the expectation which emerges from the scheme. There is no parameter or law that the maximum reward has to be given in terms of the scheme. It all depends on the quality of the information and the recoveries so made on the said input.

It seems to be a case of wild guess in which the appellant has already made his money because he has been paid a sum of rupees four lacs for the so-called ‘intelligence’ provided to the department. He cannot use the present litigation as a windfall for lifelong award.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.11.2017
Transmission Date	N/A

