

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2415 of 2017

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Shatrudhan Prasad, Son of Sri Durga Prasad, Resident of Village & Post - Tilothu,
Police Station - Tilothu, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Excise Department, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The Deputy Excise Commissioner, Rohtas at Sasaram.
4. The District Magistrate, Rohtas at Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate
For the Respondent/s : Mr. Lalit Kishore, PAAG-I
Mr. Manish Dhari Singh, A.C. to PAAG-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-06-2017

Petitioner has filed this petition in public interest and wants a *mandamus* to be issued for grant of collecting and selling licence of Mahua Flowers in accordance to the provisions of the Bihar Excise (Mahua Flowers) Rules, 2006.

Even though the petition has been styled as a petition filed in public interest but the records indicate that petitioner himself is a person dealing with Mahua Flowers and his application filed for licence under the Rules has been rejected.

That being so, at the instance of the petitioner, who



himself is an aggrieved person, and interested in the matter, the Public Interest Litigation is not maintainable. The same stands rejected with liberty to the aggrieved person to challenge the action of the State Government individually in accordance with law.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	29.06.2017
Transmission Date	

