

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8123 of 2016

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1. Pramod Kumar Singh, Son of Shri Kailash Singh, resident of Village & P.O. Bihat, Tola Masnedpur, P.S. Barauni, District - Begusarai, Proprietor, Hotel Samrat, Zero Mile, Bihat, P.S. Barauni, District - Begusarai

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna
3. The Excise Commissioner, Government of Bihar, Patna
4. The Assistant Commissioner, Excise and Prohibition, Government of Bihar, Patna
5. The District Magistrate cum Collector, Begusarai, Bihar
6. The Superintendent of Excise, Begusarai, Bihar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi, Advocate.

For the Respondent/s : Mr. Lalit Kishore (AG)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-11-2017 Petitioner has filed this writ petition challenging the amendment to the Bihar Excise Act by the Bihar Excise (Amendment) Act, 2016.

The issue has already been decided by a Coordinate Bench of this Court and the matter is now pending consideration before Hon'ble Supreme Court and the order passed in the writ petition by this Court has not been given effect to.

Keeping in view the fact that the question of validity



of aforesaid Act is now pending before the Supreme Court, we are not inclined to interfere with the matter. The petitioner will get the benefit of the policy and would be bound by the decision of the Supreme Court.

Accordingly, finding no indulgence to be made into the matter as the issue is subjudice before the Supreme Court, we dismiss the petition.

(Rajendra Menon, CJ)

Harish/-

(Anil Kumar Upadhyay, J)

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