

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16302 of 2016

1. Parmeshwar Sah, son of Late Dwarika Sah, resident of village - Sarma, P.S. - Mahua, District - Vaishali.
2. Munindra Nath Singh, son of Late Ambika Singh, resident of village - Motipur, P.S. - Motipur, District - Madhepura.
3. Lallu Ansari, son of Late Suleman, resident of Village - Mohan Bariham, P.S. - Sakri, District - Madhubani.
4. Wakila Khatoon wife of Late Abdul Queam Ansari resident of village - Amirganj, P.S. - Pandaul, District - Madhubani.
5. Raghu Nath Suman son of Late Kusum Lal Sah resident of village - Kaithinia, P.S. - Lakhnaur, District - Madhubani.
6. Bhola Prasad son of Late Paras Sah resident of village - Rupdih, P.S. - Muffasil, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
3. The Commissioner of Excise-cum-Chhoa Controller, Bihar, Patna.
4. The Joint Commissioner of Excise, Bihar, Patna.
5. The Deputy Commissioner of Excise, Bihar, Patna.
6. The Superintendent of Excise, Vaishali.
7. The Superintendent of Excise, Madhepura.
8. The Superintendent of Excise, Madhubani.
9. The Superintendent of Excise, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s Subodh Kumar Jha Pranav Kumar Jha, Advocates
For the State	:	Mr. Bishwa Bibhuti Kumar Singh, A.C. to A.G.

CORAM: HONOURABLE THE CHIEF JUSTICE
and



HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 30-08-2018

1. By filing the present petition under Article 226 of the Constitution of India, the petitioners have prayed for appropriate writ/writs or order/orders directing the respondent authorities to renew the licence of the petitioners for the year 2016 for selling and collection of Chhoa (Molasses) under the Bihar Chhoa (Control) Act, 1947.

1.1 A counter is filed on behalf of the respondent State Authorities. In paragraph Nos. 6, 8 and 9, it is stated that in view of the new excise policy and notification No. 405 dated 29.01.2016, an amendment in the Bihar Chhoa (Control) Act, 1955, there is a ban and, therefore, after releasing of the new excise policy and notification, which has been produced along with the counter, there is no question of any renewal of licence in favour of the petitioners, as prayed.

2. No rejoinder to the counter is filed on behalf of the petitioners.

3. In view of the above, the petitioners are not entitled for any relief, as prayed for in the petition.



4. Under the circumstances, the present petition is dismissed. No costs.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

Spd/-Sanjay

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.09.2018
Transmission Date	NA

