

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5121 of 2018

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Harishankar Choudhary S/o- Nagendra Choudhary, resident of Village-
Kushar, P.S.- Tariyani, District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Excise Superintendent, Excise Department, Government of Bihar,
Patna.
3. The Assistant Commissioner of Excise, District- Sheohar.
4. The District Magistrate, Sheohar.
5. The Additional Excise Inspector, Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.
For the Respondent/s : Mr.Lalit Kishore- AG

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

3 19-07-2019 Mr. Ravindra Kumar learned counsel for the petitioner
and Mr. Lalit Kishore, learned Advocate General for the State.

Having noted the issue raised in this writ petition which requires a direction to the Government in its Excise Department to purchase Neera from the tapper, since after the enforcement of the Bihar Neera (Unfermented Juice of Palms) Rules, 2017, since the relief concerns an individual in particular, no general directions can be issued. Even otherwise the petitioner having failed to approach the concerned Department with his cause, no mandamus can be issued because a



representation to the Chief Minister would not fill up this gap.

According to learned Advocate General, the Excise Commissioner would be the appropriate authority to consider the grievance and for its disposal.

While thus holding that no general direction on the prayer made can be issued in the present jurisdiction, we allow the petitioner to espouse his cause before the Excise Commissioner who shall consider and dispose of the same in accordance with law with opportunity of hearing to the petitioner within a period of 3 months from the date of receipt/production of a copy of this order.

The writ petition is disposed of.

(Jyoti Saran, J)

(Partha Sarthy, J)

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