

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7911 of 2018

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Vinod Prasad, son of Lakshmi Sah resident of Village - Harpurrai, Police Station - Turkauliya, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Excise and Prohibition Department, Government of Bihar, Patna
2. The Excise Commissioner, Bihar, Patna.
3. The Collector, West Champaran at Bettiah.
4. The Superintendent of Excise, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

Mr.Anil Kumar Sinha -Ga1

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 27-02-2020 Petitioner has prayed for the following reliefs:

“(i) Issuance of writ of certiorari, quashing the order dated 25.08.2015, as contained in Memo No. 1749, passed by the Superintendent of Excise, West Champaran at Bettiah by which uypn directing issued by the Deputy Commissioner of Excise, Tirhut-cum-Saran Division, Muzaffarpur,



the security deposit furnished by the petitioner at the time of settlement which was adjusted against the outstanding dues of license fee for the period 2014-15 against settlement of Group No. 12 retail Liquor Shops in the District of West Champaran at Bettiah has been forfeited and liability created upon the petitioner for the said dues of license fee to be recovered through Certificate proceedings;

(ii) To hold and declare that security deposit can only be forfeited upon cancellation of license under Section 42 of the Bihar Excise Act and since in the present case, the license of the petitioner had not been cancelled, the security deposit cannot be forfeited and has to be adjusted against the outstanding dues of the licensee (petitioner);

(iii) To hold and declare that the security deposit being an amount deposited assuring due compensation in case of default of



payment, the security deposit furnished by
the petitioner is liable to be adjusted against
the due license fee of February, 2015.”

On 06.02.2020, we had passed the following order.

“Despite repeated calls none
turned up to press this petition.

In the interest of justice, the
matter is adjourned.

List on 24.02.2020.”

Today again, despite repeated calls, none has
entered appearance on behalf of petitioner.

The petition stands dismissed for default.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv/-

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