

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.325 of 2020

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Avinash Kumar Gupta Son of Shri Vinda Prasad Gupta, Resident of Village-
Purani Bazar, Post- Ramnagar, Police Station- Ramnagar, District- West
Champaran.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv
For the Respondent/s : Mr.Kumar Manish (SC5)

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(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through Video
Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 14-09-2020

Heard learned counsel for the parties.

Prayer of the petitioner in this writ application reads as
follows:-

"(I) For issuance of writ directing the
respondents to refund back the security amount as well as
advance licence fee deposited by the petitioner in view of
the judgment dated 26.07.2017 passed by this Hon'ble
Court in CWCJ No. 18598 of 2015 (Annexure-4 to this
application).

II. For issuance of writ directing the
respondents to re-calculate the dues on the basis of the
lifting quota supplied by the respondents to the petitioner's
Group/ shops and also to refund overdraft amount the



petitioner alongwith statutory interest."

It has been submitted by learned counsel for the petitioner that the present case is covered by the judgment and order passed by a Division Bench of this Court in CWJC No. 18598 of 2014 (Upendra Kumar vs. the State of Bihar and Ors) dated 26.07.2017.

Accordingly, the writ petition is disposed of in terms of the judgment and order dated 26.07.2017 passed by a Division Bench of this Court in CWJC No. 18598 of 2014 (Upendra Kumar vs. the State of Bihar and Ors) and its other analogous cases as contained in Annexure-IV of the writ petition.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

