

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23436 of 2013

M/s M.j. and Sons Distillery and Breweries Pvt, Ltd. 23-A Basant Vihar Colony, Boring Road, P.S. S.K. Puri, District Patna And Distillery At Village-Raghunathpur, P.S. Amarpur, District Banka Through Its Managing Director Shri Shiv Kumar Bhagat Son Of Late Madhusudan Bhagat

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Registration, Excise and Prohibition Department, Government Of Bihar, Patna
2. Shri Sandeep Paundrik, Secretary, Registration, Excise And Prohibition Department, Government Of Bihar, Patna
3. The Excise Commissioner, Bihar, Patna
4. The Collector, Bhojpur
5. The Collector, Buxar
6. The Assistant Commissioner Of Excise, Bhojpur
7. The Superintendent Of Excise, Buxar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satyabir Bharti, Advocate
For the Respondent/s : Mr.Lalit Kishore, AG

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 16-12-2021

Petitioner has prayed for the following relief(s):-

(i) Issuance of a writ in the nature of certiorari quashing the order dated 16.11.2013 as contained in memo no.7418 (Annexure-8, Page 67) passed by Secretary, Excise and Prohibition Department, Bihar, Patna purported to have been passed by the State Government by which without any show cause notice and in an absolute arbitrary, capricious and malafide exercise of powers, the exclusive privilege grant conferred upon the petitioner for manufacture and supply of country liquor in Zone III constituting the districts of Bhojpur and Buxar has been cancelled;



(ii) To direct the respondents to forthwith restore the grant in favour of the petitioner and permit the petitioner to operate the aforesaid grant conferred upon the petitioner for the remaining period of the license;

(iii) To restrain the respondents from taking any coercive action including re-settlement of the zone (Zone III) allotted to the petitioner in pursuance to the aforesaid impugned order;

(iv) To pass such other order (s), direction(s) as your Lordships may deem fit and proper in the facts and circumstances of the case.

Learned counsel for the petitioner seeks permission to withdraw the present petition for the reason that the grievances of the petitioner stand redressed.

Petition is disposed of as having become infructuous.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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