

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19982 of 2013

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1. Devendra Paswan Son Of Late Kokil Paswan Resident Of Village- Pokharia, P.O.- Begusarai, P.S. Begusarai, District- Begusarai, At Present Posted As Excise Constable, Office Of Excise Superintendent, Darbhanga
 2. Arvind Prasad Singh Son Of Late Bhola Prasad Singh Resident Of Village P.O. District- Begusarai, At Present Posted As Excise Constable, Office Of The Excise Superintendent, Darbhanga
 3. Arun Singh Son Of Sri Udit Narayan Singh Resident Of Village- Indupur, P.O.- Barahiya, P.S. Barahiya, District- Lakhisarai, At Present Posted As Excise Constable, Office Of The Excise Superintendent, Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner Excise And Prohibition Department Bihar, Patna
3. The Joint Commissioner Excise And Prohibition Department, Bihar, Patna
4. The Deputy Commissioner Excise And Prohibition Department Darbhanga And Kosi Division, Begusarai
5. The Excise And Prohibition Superintendent, Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Verma
For the Respondent/s : Mr. Lalit Kishore Paag

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-02-2023 Heard Mr. Surendra Prasad Sigh, learned counsel for the petitioners.

The petitioners have filed this writ application claiming consequential benefits pursuant to their reinstatement on Class IV post of Constable, Excise Department.

Learned counsel for the petitioners submits that the services of the petitioners were terminated *vide* order dated



07.04.1992 passed by the Commissioner-cum-Secretary of the Excise and Prohibition Department, State of Bihar and the same was challenged by the petitioner nos. 1 and 2 before this Court in CWJC No. 7050 of 1992. The writ application filed by the petitioners were allowed and the order of termination dated 07.04.1992 was quashed *vide* order dated 28.03.1995. The petitioner no. 3 filed the similar writ petition in CWJC No. 10287 of 1996, which was allowed *vide* order dated 28.03.1997, exactly in the terms of the order passed in aforesaid CWJC No. 7050 of 1992.

Learned counsel for the petitioners has placed letter dated 11.09.1995 (Annexure-4) of this writ application submitting that pursuant to the order passed by this Court, the petitioners were reinstated on their post. The letter further states that separate decision will be taken regarding salary payment.

The petitioners have filed representation which has been annexed as Annexure 6 and 7 of the writ application.

In view of the fact that the representation filed by the petitioners are pending before the Joint Commissioner, Excise Department, accordingly, this writ application is disposed with the direction to the concerned authority to dispose the representation filed by the petitioners (Annexure 6 and 7) in



accordance with law within a period of three months from the
date of receipt/production of the copy of this order.

(Anil Kumar Sinha, J)

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