

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14042 of 2023

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B.K. German Homeo Pharma a licenced proprietorship homeopathic medicine concern having its registered office as Village Dalishmanchak, P.S. Barh, District Patna through its proprietor Braj Kishore Prasad, male, aged about 57 years, S/o Late Jagdish Prasad, r/o Village Dalishmanchak, P.S. Barh, District Patna.

... .. Petitioner.

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition Excise and Registration (Excise), Government of Bihar.
2. The Principal Secretary, Department of Prohibition Excise and Registration (Excise), Government of Bihar, Patna.
3. The Excise Commissioner, Department of Prohibition Excise and Registration (Excise), Bihar.

... .. Respondents.

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Appearance :

For the Petitioner	:	Mr. Patanjali Rishi, Advocate.
For the State	:	Mr. Vivek Prasad (GP- 7).
		Ms. Supragya, AC to GP-7.
		Ms. Roona, AC to GP-7.
		Ms. Manisha Singh, AC to GP-7.
		Mr. Sanjay Kumar, AC to GP-7.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 17-10-2023

In the instant writ petition, the petitioner has prayed
for the following relief(s):

“ (i) For issuance of a writ in the nature of
mandamus or any other writ of the
like nature thereby directing the
respondents to grant licence to the
petitioner for supply storage and use



of 5000 liters of ethyl alcohol 90-95% v/v HPI per month for preparation of homeopathic medicines.

- (ii) For issuance of a writ in the nature of mandamus or any other writ of the like nature thereby directing the respondent authorities to allow the petitioner to supply store and use ethyl alcohol for preparation and sale of homeopathic medicines during the pendency of this writ petition.
- (iii) For issuance of any other writ, order, or direction for which the petitioner may be adjudicated to be entitled for at the time of disposal of the present petition.”

2. In support of the aforementioned relief, the petitioner has submitted representation on 31.01.2022 and the same has not been considered. On the other hand, it has been deferred for want of certain Rules to be framed.

3. Taking note of material information, the Excise



Commissioner is hereby directed to pass a speaking order on the petitioner’s application within a period of eight weeks from the date of receipt of this order and communicate the order to the petitioner at the earliest.

4. Accordingly, the present writ petition stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.10.2023.
Transmission Date	NA

