

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16145 of 2023

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Shubham Kumar, Son of Kedar Rai, Resident of Vilage-Bhairopatti, Police Station-Mirganj, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
3. The Collector-Cum-District Magistrate, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The S.H.O. Fulwariya, P.S.-District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Respondent/s : Mr.Md. Raisul Haque, SC-10

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 10-11-2023

In the instant petition, the petitioner has prayed for issuance of writ of mandamus under Article 226 of the Constitution of India. There must be a demand before the competent authority for the purpose of redressing the grievance of the petitioner the same is not forthcoming. Further, there must be a public duty or statutory duty vested with the concerned authority/respondent. These two things have not been made out in the pleadings. Therefore, the present petition is not maintainable.



2. Accordingly, writ petition stands dismissed. Dismissal of the petition would not be a hurdle for the petitioner to invoke remedy before the appropriate authority under Rule 12(A) of the Bihar Prohibition and Excise Rules, 2021 in the prescribed Form. If such application is submitted, the concerned Authority is hereby directed to decide the grievance of the petitioner within a period of two weeks from the date of receipt of such application.

3. With the above observation, present petition stands disposed of.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.11.2023
Transmission Date	NA

