

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.65 of 2015

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Balram Yadav Son of Sri Sadhu Yadav, resident of village Sukhet, P.S -
Jhanjharpur, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate-cum-Collector, Madhubani.
3. The Deputy Collector (In-charge, Law), Madhubani
4. The Sub-Divisional Officer, Jhanjharpur, District- Madhubani.
5. The Block Development Officer, Jhanjharpur, District- Madhubani.
6. The Officer In-charge, Jhanjharpur Police Station, District- Madhubani.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Arjun Kumar, Advocate
For the Respondent/s : Mr. Nirbhay K. Singh, G.P.-26

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-02-2015 Heard Mr. Arjun Kumar for the petitioner and Mr.
Manoj Kumar Jha, Assisting Counsel to G.P. 26 for the State.

The grievance of the petitioner is that despite the petitioner having filed the indemnity bond in compliance of the directions of the District Magistrate in the confiscation proceedings arising from Confiscation Case No. 71 of 2013 registered under the provisions of the Essential Commodities Act, 1955, no final order has been passed by the District Magistrate on his prayer for release of his vehicle bearing Registration No. BR-07G-5440 which continues to be in a seized condition since 30.8.2013.

Learned counsel for the petitioner submits that the vehicle lying under open sky is subjected to vagaries of weather and keeping it in such condition would only render it obsolete. He thus prays for an appropriate direction to the respondent District Magistrate for release of the vehicle in question.

Having heard learned counsel for the parties and taking note of the grievance raised by the petitioner, this Court while appreciating the concern of the petitioner about the vehicle lying in a seized condition since 30.8.2013 would direct the District Magistrate, Madhubani to consider his prayer and pass final order on the release application taking note of the fact that pursuant to his order, the petitioner has already filed the indemnity bond as back as on 8.7.2014. Any such order should be passed positively within eight weeks of receipt / production of a copy of this order.

This application is disposed of with the directions aforementioned.

(Jyoti Saran, J)

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