

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2544 of 2015

In

Civil Writ Jurisdiction Case No. 24362 of 2013

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Niraj Kumar Gupta Son of - Parmeshwar Gupta Resident of Bela , P.S-
Jainagar, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary Department of Food & Civil Supplies Govt. of Bihar , Patna Shri Pankaj Kumar, son of not known to the Petitioner.
2. The Collector, Madhubani Previous - Shri Lokesh Kumar Singh and At Present - Shri Girwal Dyal Singh, Son of not known to the Petitioner
3. The Sub-divisional Officer, Jainagar, District - Madhubani Md. Ghulam Mustafa Ansari, Son of not known to the Petitioner.
4. The Block Supply Officer-Cum-Block Development Officer, Jainagar ,District - Madhubani Previous Shri Raj Bahadur Prasad Gupta and At Present Shri Sudhir Singh, Son of not known to the Petitioner
5. The S.H.O, P.S- Jainagar, District - Madhubani Shri Pawan Kumar Singh, Son of not known to the Petitioner

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh

For the Respondent/s : Mr. Subhash Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner alleges wilful/deliberate disregard/disobedience of the order dated 12.02.2014 passed in CWJC No. 24362 of 2013. This Court had directed the confiscating authority to consider and dispose of the application filed by the petitioner for provisional release of the articles in accordance with law. Annexure-3 is the copy of the order dated 15.03.2014 passed by the Confiscating Authority in Confiscation

Case No. 50/13-14. The Confiscating Authority having found that the wheat seized from the truck/vehicle has already been disposed of and the proceeds thereof deposited in the Treasury no provisional release can be ordered. After disposal of the confiscation preceding the amount received therefrom shall be disbursed if need be.

Counsel for the petitioner submits that after the order passed by the Confiscating Authority the sale was effected. This fact, however does not appear from the order dated 15.03.2014. The Court had only directed for disposal of the pending application filed by the petitioner for provisional release of the wheat. The same having been disposed of by the concerned authority, in my view, the order has been substantially complied with.

The contempt application is dismissed.

Dismissal of the application shall not preclude the petitioner from ventilating his grievance thereagainst in accordance with law.

(Kishore Kumar Mandal, J)

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