

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.978 of 2015

1. Siya Ram Singh, Son of Devendra Singh
2. Manoj Kumar Singh, S/o Siya Ram Singh
All residents of village - Tira, P.S. Purnea Sadar Muffasil (Ranipatra),
District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Government of Bihar,
Patna
2. The District Magistrate, Purnea
3. The Superintendent of Police, Purnea
4. Officer - in - Charge of Purnea Sadar Muffasil Police Station, District -
Purnea
5. The District Agriculture Officer, Purnea
6. The Block Agriculture Officer, Purnea

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Adv.
For the Respondent/s : Mr. S.S.Prasad (SC-10)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 28-07-2016 The present writ application has been filed by the petitioner seeking a direction to be issued to the respondents, particularly, Respondent No.2 to release the fertilizers seized from the petitioners in E.C.Act Case No. 79 of 2015, which is pending for confiscation before the Respondent No.2 under Section 6A of the Essential Commodities Act.

In course of arguments, learned counsel for the petitioners has submitted that he would not be pressing the

application for release of fertilizers. However, the Respondent No.2 be directed to dispose of the confiscation case expeditiously.

Learned counsel for the State has submitted that pursuant to the recommendation made by the Block Agricultural Officer, Purnea East, the Collector, Purnea has initiated the aforesaid confiscation case. Notices were issued to the petitioners of the case in the aforesaid Confiscation Case No. 79 of 2015 and the petitioners have also filed their show cause on 14th July, 2015. However, the petitioners did not appear before the Collector on 1st December, 2015, which was the date fixed for hearing of the case.

In reply, learned counsel for the petitioners has submitted that for non-appearance on one day, the Collector, Purnea cannot be allowed to sit tight over the matter. He has further submitted that even if the petitioners failed to appear, the Collector could have disposed of the confiscation case on the basis of show cause reply already filed on behalf of the petitioners.

I have heard the respective counsel for the parties and perused the record.

Regard being had to the submissions advanced at the Bar, I direct the Collector, Purnea to dispose of Confiscation Case No. 79 of 2015 within two months from the date of

receipt/production of a copy of the order.

With the aforesaid observation and direction, the application is disposed of.

(Ashwani Kumar Singh, J)

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