

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4919 of 2013

In
Civil Writ Jurisdiction Case No. 8811 of 2012

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Raghunandan Prasad Keshari, son of Late Ram Bhajan Sah, Resident of
Village and Police Station-Dobhi, District-Gaya

.... Petitioner/s

Versus

1. The State Of Bihar
2. Mr. Balad Murugun, District Magistrate and Collector, Gaya
3. Kishori Chaudhary, Sub Divisional Officer, Sherghati, Gaya
4. Yogendra Singh, Assistant District Supply Officer, Sherghati, Gaya

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Nikhilesh Kumar, Advocate
Mr. Binod Kumar Sinha, Advocate
For the State : Mr. Ashok Kumar Pathak, A.C. to G.P.-21

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 09-08-2017 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner has alleged non-compliance of the
order dated 17.05.2013 passed in CWJC No.8811 of 2012.

It is submitted on behalf of the petitioner that though
after disposal of the writ application, the petitioner's flour mill
was opened, but the seized articles were confiscated and sold
and the proceeds thereof were deposited in the Government
State Treasury. Learned counsel for the petitioner thus submits
that the opposite parties ought to have given the seized articles
to the petitioner rather than to sell the same.



A show cause has been filed by the opposite parties, in which they have stated that subsequent to the filing of the present contempt application, the godown has been opened, but the 78 bags of food grains, which were seized from the flour mill, have been confiscated and the S.D.O., Sherghati, vide Letter No.930 dated 25.11.2013, directed the Block Supply Officer, Dobhi to deposit the value amount of seized articles to the Treasury, Sherghati as the reply to the show cause filed by the petitioner was considered as unsatisfactory and had been rejected. Thus, he submits that there is no wilful non-compliance of the order passed by this Court and the contempt proceedings be disposed of.

Learned counsel for the State further submits that the opposite parties have already complied with the order on 20.10.2013. He further submits that Sherghati P.S. Case No.186 of 2011 was lodged and Confiscation Proceeding No.39 of 2011 had also been started against the writ petitioner. Thus, no case for contempt is made out.

Having heard learned counsel for the parties, this Court is also of the opinion that the order under contempt has already been complied with. The petitioner, if so advised, may challenge the confiscation proceedings before the appropriate



court, which shall be disposed of in accordance with law.

The contempt application stands disposed of.

(Anjana Mishra, J)

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