

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15793 of 2017

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Ganesh Bhagat Son of Rajendra Bhagat, Resident of Village- Nathsarganj, P.S. Hajipur, District- Hajipur at Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the Secretary Food and Civil Supply Department, Old Secretariat, Patna, Bihar.
2. The District Magistrate, Hajipur at Vaishali.
3. The In-Charge Addl. District Supply Officer cum Block Supply Officer, Hajipur at Vaishali.

.... Respondents

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Appearance :

For the Petitioner : Mr. Vijay Anand,
Mr. Sheo Kumar Prasad, Advocate
For the Respondents : Mr. Arvind Ujjwal SC4
Mr. Marth Nath Ray, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-01-2018

Heard learned counsel for the petitioner as well as learned counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondents to release the public carrier pickup Mahindra Van bearing Registration No. BR-1-T-4102, Chasis No./Engine No. 22044799/AC24D61308 loaded with 60 bags of rice kept in the jute bag which have been seized in connection with Hajipur P.S. Case No. 401/2017 registered under Section 7 of the Essential Commodities Act to the satisfaction of the C.J.M., Vaishali at Hajipur.

3. At the very outset, this Court takes note that the petitioner has rushed to this Court straightforward without filing any representation before the District Magistrate, Vaishali at Hajipur, who



as stated by the petitioner, is the competent authority for taking appropriate decision with regard to release of the petitioner’s vehicle.

4. In the above circumstances, the writ petition is dismissed with liberty to the petitioner to approach the District Magistrate, Vaishali at Hajipur (respondent no. 2) for redressal of his grievances and for consideration of the petitioner’s claim on its own merits and in accordance with law. In case the petitioner files any representation before the District Magistrate, Vaishali at Hajipur within a period of two weeks from today, the same may be considered and disposed of expeditiously and in any event within a period of eight weeks of the receipt of the representation.

5. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
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