

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.16367 of 2018**

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Mukesh Kumar, Son of Baleshwar Rai, resident of Village- Saidpur, Rajoli, P.S.-  
Hajipur Sadar, District- Vaishali at Hajipur.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Bihar, Patna.
2. The District Magistrate cum Collector, Vaishali at Hajipur.
3. The Managing Director, State Food Corporation Bidupur, Vaishali at Hajipur.
4. The District Manager State Food Corporation, Vaishali at Hajipur.
5. The District Supply Officer, Vaishali at Hajipur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjit Kumar  
For the Respondent/s : Mr. Arvind Ujjwal-SC4

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**

**ORAL JUDGMENT**

**Date: 05-11-2018**

1. The learned counsel for the petitioner submits that the petitioner has filed a petition for release of vehicle before the District Magistrate, Vaishali, but the same is not being disposed of, however, it is not clear from the writ petition as to whether the petitioner has actually filed any petition for release of the vehicle.

2. In view of the aforesaid facts and circumstances of the case, I deem it fit and appropriate to direct the petitioner to file a petition for release of vehicle under Section 6(E) of the Essential Commodities Act, 1955 within a period of four weeks from today and in case, such an application is filed, the District Magistrate shall pass a final order upon the petition for release of vehicle within six weeks



thereafter. However, it is clarified that in case, the petition has already been filed by the petitioner for release of vehicle, the District Magistrate, Vaishali shall pass an order thereon within a period of six weeks from today.

3. The writ petition is disposed of on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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