

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18538 of 2017

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Gauri Shankar Jha, S/o Mahanand Jha, R/o Vill- Kahua, P.S.- Biraul, District- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary.
2. District Magistrate, Sadar Darbhanga.
3. Senior Superintendent of Police, Laheriasarai Darbhanga.
4. Inspector, SHO, Laheriasarai, P.S.- Darbhanga.
5. Sub Inspector, Benta O.P., Laheriasarai P.S. Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umapati Jha
For the Respondent/s : Mr. Vikash Kumar -Sc11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

4 17-12-2018 Learned counsel for the petitioner submits that since the vehicle in question has already been auctioned, she seeks liberty to withdraw this application and prefer statutory appeal within a period of 30 days from today.

Prayer is allowed. This application is disposed of with liberty to petitioner to prefer an appeal within a period of 30 days from today with an application of condonation of delay and on filing such application the appellate authority shall consider the same on merit keeping in mind that the petitioner was pursuing his remedy before this Court under bonafide belief as the issue raised by the petitioner was pending consideration before the Hon'ble Full Bench of this Court.



It goes without saying that if the petitioner succeeds before the appellate authority then he would be entitled for getting refund of the money in accordance with law.

(Jyoti Saran, J)

(Rajeev Ranjan Prasad, J)

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