

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18610 of 2018

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Krishna Kanhaiya son of Sadhu Saran Singh resident of village -
Garhlaxmipur, P.S. & P.O. Barahiya, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Lakhisarai.
4. The Addl. Collector, Lakhisarai.
5. The Sub-Divisional Officer, Lakhisarai.
6. The Marketing Officer, Nagar Parishad, Lakhisarai.
7. The Officer-in-Charge, Lakhisarai Police Station, Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Diwakar Upadhyaya, Adv.
Miss. Preety Kunwar, Adv.

For the Respondent/s : Mr. Arvind Ujjwal- SC 4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-10-2018 After some arguments, the learned Senior counsel appearing for the petitioner seeks liberty to file an appeal under Section 6C of the Essential Commodities Act, 1955 against the order dated 14.8.2018 passed in Confiscation Case No. 14 of 2017 by the Collector, Lakhisarai.

Having regard to the limited submissions made by the learned Senior counsel for the petitioner, the present writ petition is disposed of with liberty to the petitioner to file an appeal under Section 6C of the Essential Commodities Act against the order passed by the Collector, Lakhisarai dated 14.8.2018 within a period of four weeks from today.

It is needless to state that in case such an appeal is filed within a period of four weeks from today, the appellate



authority i.e. the District Judge, Lakhisarai shall consider the appeal of the petitioner on merits without being impeded by the issue of limitation.

Till the passing of the order by the appellate authority, the seized vehicle shall not be sold, if not already sold. This interim direction shall be operative only if the Appeal is filed within a period of four weeks from today.

The writ petition is disposed of with the aforesaid liberty and direction.

(Mohit Kumar Shah, J)

BTiwary/Md.Rashid

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