

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16147 of 2018

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Chandra Bhusan Pandey Son of Late Upendra Pandey, Resident of Village-
Bharkuiyan, Police Station- Majha Garh, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate/Collector, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Excise Superintendent, Gopalganj.
6. The Sub-Divisional Officer, Gopalganj.
7. The S.H.O, Bishabharpur Police Station, Gopalganj.
8. Mr. Vinod Kumar Sah, A.S.I., Bishambharpur Police Station- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv.
For the Respondent/s : Mr. Vikash Kumar -Sc11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 01-04-2019

Heard learned counsel for the parties.

We are not persuaded with the prayer made by the petitioner for compensation in view of the fact that: (1) the vehicle in question was seized in a condition of violation of provisions of Bihar Prohibition and Excise Act, 2016; (2) the final order has been passed in the confiscation case; (3) the vehicle has been auction sold; and (4) the petitioner has not questioned the final order before the Appellate Authority.



In the circumstances noted, then even if the vehicle has been auction sold, no cause for indulgence is made out for the fault lies with the petitioner in not questioning the confiscation order on its merits. We thus do not find merit in the writ petition for inviting indulgence.

The writ petition is dismissed accordingly.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Brajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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