

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24710 of 2018

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Khalid Chauhan, son Munshi, resident of village- Rampura Katabag Suraj
Nagar, P.S. -Karnal (Rural), District- Haryana.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Patna, Bihar.
2. The Collector / District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Excise Superintendent, Sitamarhi
5. The Excise Inspector, Sitamarhi
6. The Officer-in-Charge Dumra P.S., Sitamarhi

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Alok, Advocate
For the Respondent/s	:	Mr.Vikash Kumar, S.C.-11 Sriram Krishna, A.C. to S.C.-11

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

6 29-08-2019 This Court vide order dated 23.04.2019 passed a detailed order after discussing the issue involved in the present case and directed for release of the food materials within 48 hours of production / receipt of a copy of the order subject to production of valid papers / documents showing the transportation of the goods in question.

Today, a counter affidavit has been filed on behalf of respondent no.2 and 4, wherein in paragraph no.6, it has been



averred that the District Magistrate, Sitamarhi, has already released the food materials as per the order of this Court.

Paragraph no.6 of the counter affidavit is quoted hereinbelow:-

“6. That, it is submitted that on 18.06.2019 the petitioner enclosing a copy of the order dated 23.04.2019 passed by this Hon’ble Court in this case had filed a petition before the District Magistrate, Sitamarhi with a prayer for release of the poultry feed supplement and packing materials. In compliance of the interim order dated 23.04.2019, the seized poultry feed supplements and packing materials have already been handed over to the petitioner on 20.06.2019 after receiving due receipt.”

Learned counsel for the petitioner has accepted the receipt of the food materials, which the petitioner is claiming for release of the same.

In such view of the matter, the action of release of the food materials has already been taken place. Accordingly, this writ petition is disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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