

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19322 of 2019

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Rajni Kant Yadav Son of Suraj Yadav Resident of Village- Pidiya, P.O.-
Ekouni, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, State Excise Department,
Bihar, Patna. Govt. of Bihar, Old Secretariat, Patna.
2. The Collector/District Magistrate, Buxar.
3. The Superintendent of Police, Buxar.
4. The Excise Superintendent, Buxar.
5. The Inspector Motor Vehicle, Buxar.
6. The Sub-Divisional Police Officer, Buxar Sadar, Buxar.
7. The Officer-in-charge, Simri Police Station, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manendra Kumar Sinha
For the Respondent/s : Mr.Vivek Prasad (Gp7)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA)**

Date : 16-12-2019

Since this writ petition has been preferred for quashing
the final order passed by learned District Magistrate, Buxar, in
Confiscation Case No. 76/2009, this writ petition is not
maintainable because there is specific provision of appeal for
challenging the impugned order passed by concerned District
Magistrate, under Section 92(2) of Bihar Prohibition and
Excise Act, 2016, hence this petition stands disposed of being



not maintainable.

However, the period spent by the petitioner in pursuing this writ petition before this Court shall be excluded while calculating the period of limitation if the petitioner challenges the impugned order before the appropriate authority.

(Hemant Kumar Srivastava, J)

(Prabhat Kumar Singh, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.12.2019
Transmission Date	NA

