

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4589 of 2020

Sanjit Rai Son of Arun Rai Resident of Village- Tulsi Nagar, P.S.- Tariyani,
District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Govt. of Bihar, Patna.
3. The District Collector, Sheohar.
4. The Superintendent of Police, Sheohar.

... .. Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr.Vikash Kumar (Sc11)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 04-09-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner has prayed for following reliefs:-

- (i) "For release the piece of land of Tulsi Nagar P.S. No. 170, Khata No. 18, Khesra No. 540, Rakba 0.03 decimal which was seized by the respondent authorities in connection with Tariyani P.S. Case No. 62 of 2018 for the offence registered U/s 30(A), 38, 36 Bihar Prohibition and Excise Act.
- (ii) For that till date Excise Confiscation Case has initiated bearing Confiscation



Case No. 51 of 2018 but till date the confiscation is going on.”

Petitioner has filed this writ petition against the order dated 17.10.2019 passed by District Collector, Sheohar by which land measuring 3 decimals appertaining to Khata No. 18, plot No. 540 was directed to be confiscated and put on auction under Section 58 of Bihar Prohibition and Excise Act 2016.

Petitioner has approached this Court without availing the statutory remedy of appeal/revision against the order passed by District Collector, Sheohar.

Writ petition is disposed of with liberty to petitioner to avail the statutory remedy of appeal against the impugned order and, if any, such appeal is filed within 60 days, the appellate authority shall condone the delay in filing appeal as the matter remain pending before this Court and shall decide the appeal on merit preferably within 60 days from the date of filing of such appeal.

(Sanjay Karol, CJ)

(S. Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.

