

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17587 of 2018

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Ramji Prasad S/o Late Sitaram Sao, Resident of Mohalla-Gauria Math, Kanu Lal Road, P.S.-Jakkanpur, District-Patna. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Food & Consumer Protection Department, Government of Bihar, Patna
2. The Collector, Patna.
3. The Supply Inspector, Rationing, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari
For the Respondent/s : Mr.S.Raza Ahmad - Aag5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 19-02-2020

1. The present writ petition was initially filed by the petitioner for issuance of a direction upon the respondent authorities to release 52 bags of wheat each of 50 kg. (26 quintals) seized by Supply Inspector, Rationing, Patna giving rise to Jakkanpur PS case no. 387 of 2018 registered under Section 7 of the E.C. Act and Section 414 of Indian Penal Code, in favour of the petitioner.

2. The learned counsel for the petitioner has submitted that confiscation proceedings have already been initiated and confiscation case bearing Confiscation case no. 36 of 2018-19 is pending before the learned Collector, Patna. It is further submitted that the wheat bags have already been sold and money has been deposited in the treasury, hence now the



petitioner is seeking release of the sale consideration of the aforesaid 52 wheat bags. It is further submitted that the petitioner would approach the learned Collector, Patna for release of the sale consideration of the aforesaid 52 wheat bags.

3. Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with liberty to the petitioner to file appropriate application before the learned Collector, Patna in the ongoing confiscation proceedings for release of the sale consideration of the aforesaid 52 wheat bags and in case, such an application is filed within a period of four weeks from today, appropriate order shall be passed by the learned Collector, Patna within a period of six weeks thereafter, failing which the amount in question would stand released automatically in favour of the petitioner.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.03.2020
Transmission Date	NA

