

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8399 of 2020

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Chanderjot Singh Dhillon S/o Ram Singh Dhillon Resident of Main Bazar,
Paontasahib, House No.- 44, P.S.- Palampur, District- Sirmour (Himachal
Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Registration Excise and Prohibition, Department, Bihar, Patna.
2. The Excise Commissioner Bihar Prohibition and Excise Department, Bihar, Patna.
3. The Excise Officer Bihar Prohibition and Excise Department, Bihar, Patna.
4. The District Collector Gopalganj.
5. The Superintendent of Police Gopalganj.
6. The S.H.O. Government Official Complaint, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha
For the Respondent/s : Mr.Lalit Kishore (Ag)

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

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 09-10-2020

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

"That this writ application is being filed on behalf
of the petitioner for direction to release of a vehicle bearing
registration no. HP17E6890, Chasis No.



MB1NACHD1JAEH8927, Engine No. JFHZ411090, owner SL No. 1 Model No. 3118BS IV of the Ashok Leyland, which has been seized by the police of Belathari Check Post, Gopalganj, in connection with Excise Case No. 204 of 2019 instituted under section 30(a) of Bihar Prohibition and Excise Act, dated 14.02.2019, pending in the court of learned Additional Session Judge-II cum-Special Judge, Excise Act, Gopalganj, for which a confiscation (Excise) Case No. 416/2019 is pending before the learned District Collector, Gopalganj, and/or for issuance of an appropriate writ/writs direction/directions, order/orders as it may deem fit and proper your lordship."

It has been submitted by learned counsel for the State that during pendency of this writ petition, final order has been passed by the Collector, Gopalganj in Confiscation (Excise) Case No. 416/2019 and vehicle has been directed to be confiscated and put on auction as such present writ petition for interim release of the seized vehicle has become infructuous.

Petitioner is granted liberty to file appeal against the order of District Collector/Confiscating Officer, Gopalganj before the appellate authority within 60 days and if any such appeal is filed, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on merit within 60 days from the date of filing of such appeal.



With aforesaid observation and liberty, this writ
petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

