

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8589 of 2020

Srikant Sah Son of Rasik Sah, resident of Village - Gouripur, Ranuchak,
Makandpur, Police Station - Akbarnagar, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. Excise Commissioner, Bihar, Patna.
3. District Magistrate-cum-Collector, Banka.
4. Superintendent of Police, Banka.
5. Superintendent of Excise, Banka.
6. Inspector, Excise Prohibition, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajiv Kumar Singh, Advocate
For the Respondent/s	:	Mr. Pawan Kumar, AC to AG

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 26-11-2020

Heard the parties.

Petitioner has prayed for following reliefs:-

“(I) Issuance of an appropriate writ including a
writ in the nature of writ of certiorari quashing the order
dated 08.09.2020 passed in Excise Appeal Case
No.69/2020 by the Excise Commissioner, Bihar, Patna and
also quashing the order dated 19.06.2020 passed in



Confiscation (Excise) Case No.484/19-2020 by the Collector, Banka confiscating the petitioner's vehicle namely Scorpio bearing registration No. BR-10PA-517 standing in petitioner's name.

(ii) Issuance of an appropriate writ including a writ in the nature of writ of mandamus commanding the respondents to release the Scorpio bearing registration No. BR-10PA-0517 standing in petitioner's name since the same lying seized in connection with Excise complaint Case No.135 of 2019 dated 14.11.2019 instituted for offences under Section 30(a) Bihar Prohibition and Excise Act, 2018.

(iii) Any other relief to which the petitioner is found entitled to."

This writ petition has been filed by the petitioner without exhausting the statutory remedy of revision against the order passed by the appellate authority as well as original authority.

The writ petition is disposed of with liberty to petitioner to avail the statutory remedy of revision against the order passed by the appellate authority. If any such revision is filed by the petitioner within 30 days before the revisional authority, the delay in filing revision shall be condoned by the revisional authority as the matter remained pending before this



Court and shall decide the revision on merit within 30 days from
the date of its filing.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.11.2020
Transmission Date	NA

