

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15752 of 2019**

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Ramanti Devi wife of Chandrika Yadav resident of Village- Chhawani  
Bettiah, Police Station- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, West Champaran at Bettiah.
4. The Superintendent of Police, West Champaran at Bettiah.
5. The Superintendent of Excise, West Champaran at Bettiah.
6. The S.H.O. Bettiah Muffasil (Banuchhapar) Police Station, District- West Champaran.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Bashishtha Narayan Mishra  
For the Respondent/s : Mr.Vikash Kumar ( Sc11 )

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE S. KUMAR)**

**Date : 29-06-2020**

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

Petitioner has prayed for the following relief: -

“For issuance of a writ in the nature of mandamus or any other appropriate writ or writs directing the respondent for giving possession of the Building situated over Khata No.148, Khesra No. 456/1 area 1 Katha 10 Dhurki, which belongs to the petitioner, which has been described as godown and sealed by the police in Bettiah Muffasil (Banuchhapar) Police Station Case No. 536 of 2018 registered for the offence under Sections 30(a), 35, 38 and 41 of the Bihar Prohibition and Excise



Act, 2016, making an allegation of keeping 1927.800 litres illicit foreign liquor inside of the godown for which neither the notice has been issued for initiation of confiscation proceeding nor confiscation proceeding has been initiated till date so far the best of knowledge of the petitioner.”

It has been submitted by learned counsel for the State that the final order has already been passed by the confiscating authority, as such present petition has become infructuous, which is not disputed by the learned counsel for the petitioner.

Accordingly, the present petition is dismissed as having become infructuous granting liberty to the petitioner to avail the statutory remedy of appeal/revision against the order passed by the Confiscating Officer.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

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