

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24777 of 2019

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Sanjeev Kumar Son of late Parmanand Mushi, Resident of Village- Dulludih,
P.S. Rajganj, Distt. Dhanbad, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Home, Government of Bihar, Patna.
2. The Secretary, Department Prohibition, Excise and Registration, Government of Bihar, Patna.
3. The Director General of Police, Patna.
4. The District Magistrate Cum Collector, Jamui.
5. The Superintendent of Police, Jamui.
6. The Deputy Superintendent of Police, Jamui.
7. The Officer-in-Charge of Khaira, Police Station,
8. The Investigating Officer of Khaira, P.S. Case No.265/2016, Distt. Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate
For the Respondent/s : Mr.Kumar Manish (Sc5)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

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

Date : 25-08-2020

Petitioner has prayed for following relief:-

“The instant writ application is being filed for issuance of writ/writs, direction/directions and order/orders for directing the respondents authorities not to act upon the order dated 14.06.2019 passed by learned District Magistrate and Collector, Jamui in Confiscation Case No.128/2017 whereby and whereunder the learned District Magistrate and Collector, Jamui has directed the



Officer in-Charge of Khaira Police Station to seize the Tata Pick Up vehicle bearing No. JH 10AM 2414 in the light of order dated 17.07.2018 passed by Hon'ble High Court, Patna in C.W.J.C No.12583/2018 (Sanjeev Kumar Vs. the State of Bihar and others), and it has been directed by the learned District Magistrate and Collector, Jamui to auction the aforesaid vehicle (Annexure-3), further set aside the consequential letter/order/notification issued in compliance of the aforesaid order (Annexure-4).”

Petitioner has approached this Court against the final order dated 14.6.2019 passed by the Collector-cum-Confiscating Officer, Jamui by which the seized vehicle has been ordered to be confiscated and auction sold as such, writ petition is disposed of with liberty to petitioner to avail the statutory remedy of appeal/revision as provided under the Act before approaching this Court. If any such appeal is filed by the petitioner within 30 days then appellate authority shall condone the delay in filing the appeal and decide the appeal on merit within 30 days from the date of filing of such appeal.

(Sanjay Karol, CJ)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.09.2020
Transmission Date	NA

(S. Kumar, J)

