

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25248 of 2019

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Gaurav Kumar Son of Pawan Yadav @ Pawan Prasad Yadav Resident of
Village- Dighra, Police Station- Ghailadh, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Excise Commissioner Bihar, Patna.
2. The District Magistrate Madhepura.
3. The Superintendent of Police Madhepura.
4. The Excise Officer Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav
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)

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

Date : 08-07-2020

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

Petitioner has prayed for following relief:-

“ (i) For quashing/setting aside the impugned order dated 27.09.2019 of the learned Excise Commissioner Bihar, Patna, passed in appeal No.24 of 2019 by which he has passed illegal order with a direction to the Collector/Superintend Madhepura.

(II) For quashing / setting aside the impugned order dated 27.09.2019 by which he has passed order against petitioner and not released the sized vehicle / motor cycle.

(iii) For direction / directions to the respondents to released the seized vehicle/ Motor Cycle in favour of the



petitioner

(iv) For other relief/reliefs to which the petitioner be deemed entitle.”

Petitioner has filed this writ petition for quashing the order passed by the confiscating authority as well as appellate authority, however, he has not availed the statutory remedy of revision against said orders.

Accordingly, the writ petition is disposed of with liberty to petitioner to file revision against said orders before the revisional authority and if any such revision is filed by the petitioner before the revisional authority, the delay in filing the revision may be condoned as the matter remained pending before this Court and revision may be decided on its own merit and in accordance with law.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.07.2020
Transmission Date	NA

