

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2150 of 2021

Pradeep Sonkar S/o Suraj Sonkar resident of Manaitand Singham Talab, P.S. -
Manaitand, District- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the D.G.P. Bihar, Patel Bhawan, Baily Road, Patna.
2. The Superintendent of Police, Bhojpur, Ara.
3. The District Magistrate, Bhojpur, Ara.
4. The Officer-in-charge, Ara Muffasil, Bhojpur, Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Singh, Adv
For the Respondent/s : Mr. Vivek Prasad GP-7

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

Date : 26-03-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(i) To issue a writ in the nature of Certiorari for quashing the order dated 17.12.2020 passed by the Excise Commissioner, Bihar, Patna, in Excise Appeal No. 102 of 2020.

(ii) To issue a writ in the nature of certiorari for quashing the order dated 21.05.2020 passed by Collector, Bhojpur, Ara in Misc. Excise Case No. 199/2019 (Annexure-4). Further stay the operation of auction proceeding vide Gyapank No. 2820 Prohibition and Excise Department issued by the office of District Magistrate, Bhojpur, Ara particularly at S. No. 19 of vehicle auction Notice.(Annexure-4) and release the same in favour of the petitioner. ”



Petitioner has approached this Court without availing the statutory remedy of revision against the impugned appellate order, as such, liberty is granted to petitioner to file revision against the appellate order before the Revisional Authority and if any such Revision is filed within 4 weeks, then Revisional Authority shall condone the delay in filing the revision petition and shall decide the revision petition preferably within 8 weeks from the date of its filing on its own merit.

During pendency of revision petition, confiscated property shall not be auction sold, if not already auction sold.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.04.2021
Transmission Date	NA

