

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 5558 of 2021

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Bishun Sah Son of Jangilal Sah Resident of Village- Fatehpur Shivajee Nagar
Galli No. 04, P.S. - Mahadeva O.P., District- Siwan Proprietor of M/s Maa
Vaishnu Rice Traders Naya Bazar, Galla Patti, Siwan

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Food and Consumer
Protection Department, Bihar, Patna
2. The Collector, Siwan
3. The Additional District Supply Officer, Sadar, Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
: Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. Alok Ranjan (AC to AAG 5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 17-09-2021 The instant case has been taken up for consideration
through the mode of Video conferencing in view of the prevailing
situation on account of COVID 19 Pandemic, requiring social
distancing.

The present writ petition has been filed for release of
rice and wheat seized vide seizure list dated 06.05.2020 by the
Assistant District Supply Officer, Sadar, Siwan in connection with
Husainganj PS case no. 106 of 2020, registered under Section 7 of



Essential Commodities Act which has given rise to Confiscation case no. 03/2020-21, pending before the learned Collector, Siwan.

The learned Senior counsel for the petitioner Sri N.K. Agrawal has submitted that the petitioner has filed an application before the Collector, Siwan for release of the aforesaid rice and wheat seized by the Assistant District Supply Officer, Sadar, Siwan, however no order has been passed till date despite the same being pending since long, hence it is prayed that the learned Collector be directed to dispose of the pending application of the petitioner and in the meantime, it be directed that the said rice and wheat in question be not sold.

The learned counsel for the respondent State Sri Alok Ranjan (AC to AAG 5) has got no objection.

Having regard to the facts and circumstances of the case, the learned Collector, Siwan is directed to dispose of the application dated 03.09.2020, filed by the petitioner for release of wheat and rice, which is annexed as Annexure 5 to the present petition, within a period of six weeks from today, failing which the said rice and wheat seized by the respondent authorities shall stand automatically, released. It is further directed that for a period of six weeks from today, the learned Collector, Siwan shall ensure that the aforesaid rice and wheat in question are not sold.



The writ petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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