

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4033 of 2021

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PARMOD KUMAR RAY Son of Vishnu Dev Ray Resident of Ward no. 1,
Ram Chandrapur Andhail Pataili, P.s.- Ujiarpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Bihar, Patna
2. The Commissioner, Excise Prohibition Patna
3. The Collector, Bhabua, Kaimur
4. The Superintendent of Police, Bhabua, Kaimur
5. The Inspector, Excise Prohibition, Mohania Bhabua, Area, Bhabua

... .. Respondent/s

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice /Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences /offices.)

Appearance :

For the Petitioner/s : Mr. Shivanandan Bharti, Adv
For the Respondent/s : Mr. Kumar Manish SC-5

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

Date : 05-07-2021

Heard learned counsel for the parties.

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

“That this is an application for issuance of a writ in the nature of certiorari and any other appropriate writ/rule/direction for quashing the order dated 03.09.2020 passed by the Commissioner, Excise Prohibition Patna. (Annexure-4) by which respondent no. 2 has rejected the appeal preferred by the petitioner and also for quashing the order dated 13.02.2020 passed by the Collector, Bhabua, Kaimur.(Annexure-3)”

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 8 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	
Transmission Date	NA

