

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14801 of 2021

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Sujit Kumar @ Mulayam Kumar, S/o Ramesh Rai R/o Village Jagdishpur,
P.S. Ragho Pur, District Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department Bihar Patna.
2. The Excise Commissioner, Bihar Prohibition and Excise Act 2016.
3. Collector Cum District Magistrate, Nawada.
4. Superintendent of Police, Nawada.
5. Excise Superintendent, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman, Advocate
For the Respondent/s : Mr.Vikash Kumar (SC-11)

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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 : 02-09-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“That this writ application is being filed for quashing the order dated 05.01.2021 passed by the respondent no.2 in Excise Appeal no. 148 of 2020 contained in Annexure-5 by which he has affirmed the order dated 02.06.2020 passed by District Magistrate-cum-Collector, Nawada respondent no.3 in Confiscation Case No. 425 (M)/2019 contained in Annexure-4 by which he has confiscated the Truck of the petitioner bearing Registration no. BR25G-3235.”

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 vehicle 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)

veena/rajiv-

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