

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9284 of 2021

=====

Anju Devi W/o Late Abhay Kumar resident of Gorla Toli, Station Road, P.S.-
Kotwali, Dist- Patna- 800001.

... .. Petitioner/s

Versus

1. The State of Bihar represented through Principal Secretary Excise
Department, Govt. of Bihar.
2. D.M.- Cum- Collector, Patna.
3. Excise Commissioner, Bihar, Patna.
4. Sri Vinod Kumar Singh, S.I. Kotwali Police Station, Patna.

... .. Respondent/s

=====

(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. Rajesh Mohan, Advocate

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 : 01-07-2021

Heard learned counsel for the petitioner and learned



counsel for the State.

Petitioner has prayed for the following reliefs: -

“That quash the order dated 21.12.2020 passed in Excise Appeal No. 149/2020 by the Commissioner Respondent No.3 (annexure-III) by which order the learned court has dismissed the appeal (confirming the order dated 02.07.2020 passed by the D.M.-Cum-Collector-Respondent No.2 (annexure-II) in confiscation Case No. 3091/2019-2020 and consequently pass the order for the release of the seized vehicle four wheeler Wagon-R bearing registration no. BR-01-AY-5566, seized in connection with Special Case No. 8882/2019, arising out of Kotwali P.S. Case No. 895/2019 by the Kotwali Police Respondent No.4 in the 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 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

