

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9783 of 2021

Pratima Singh @ Pratima Sinha W/o Late Ayodhya Prasad R/o Road No. 04,
Near Indane Gas Godown, Adarsh Bihar, Ramkrishna Nagar, P.S.-
Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Commissioner Excise Bihar, Patna.
3. The District Magistrate Patna.
4. The Superintendent of Police Patna.
5. The Superintendent of Excise Patna.
6. The Inspector Excise Attack Force, 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.Sudhir Kumar Sinha, Adv
For the Respondent/s : Mr. Vikash Kumar SC-11

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

Date : 06-07-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“(i) To issue a writ in the nature of certiorari for quashing the order dated 05.02.2021 passed by the Excise Commissioner, Bihar, Patna, in Excise Appeal No. 51 of 2021.

(ii) To issue a writ in the nature of certiorari for quashing the order dated 29.12.2020 passed by the District Magistrate, Patna Confiscation Case No. 1080/2020-21(Annexure-4).”



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

