

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9299 of 2021

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Mahendra Prasad son of Deglal Prasad resident of Maheshpur, Tara Tand, P.S.
Domchanch, District Kodarma Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Bihar
Prohibition and Excise, Patna.
2. The Commissioner Excise, Patna.
3. The District Magistrate cum Collector, Patna.
4. The Senior Deputy Collector, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Superintendent of Excise, Patna.
7. The Sub Divisional Officer, Patna City.
8. The Sub Divisional Officer, Excise, Patna City.
9. The S.H.O Daniyawan Police Station, District Patna.

... .. 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.Anil Kumar Saxena, Advocate
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 : 01-07-2021



Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner has prayed for the following reliefs: -

“That this writ application is being filed for issuance of writ in the nature of certiorari for quashing/set aside the order dated 12.10.2020 passed in confiscation case No. 454/2020-21 by the court of Senior Deputy Collector, Patna as well as the order dated 01/02/2021, passed by Commissioner Excise, Bihar Patna in Excise Appeal No. 199/20, by which the appeal preferred by the petitioner was dismissed and order dated 12/10/2020 passed by the court of Senior Deputy Collector was confirmed.”

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

