

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11005 of 2021

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Seema Jaiswal Wife of Late Kanhaiya Prasad Jaiswal, Resident of New Bazar,
Patwa Toli Len, Sabji Mandi, Police Station- Kaji Mohammadpur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The Commissioner, Excise Department, Govt. of Bihar, Patna.
3. The Collector, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.
5. The Station House Officer, Kaji Mohammadpur, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar, 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 : 13-07-2021

Heard learned counsel for the parties.

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

“(i) For issuance of a writ in the nature of certiorari
for quashing the order dated 23.1.2021 passed in Excise
Appeal No.148 of 2021 passed in Excise Appeal No.148 of
2021 by the Commissioner Excise, Bihar, Patna whereby and
whereunder the appeal was dismissed and the order passed in



confiscation case No.107 of 2019-20 by Collector-cum-District Magistrate, Muzaffarpur was confirmed.

(ii) For issuance of an appropriate writ for quashing the order passed by Collector-cum-District Magistrate, Muzaffarpur in Confiscation Case No.107 of 2019-20 dated 24.1.2020 whereby and whereunder the vehicle (A.C. Car) bearing Reg. No. BR06AV-1733 was confirmed.

(iii) For issuance of an appropriate writ for directing the respondents to release the A.C. Car bearing Reg. No. BR06AV-1733 in favour of the petitioner.

(iv) For any other relief/reliefs to which the petitioner may be entitled to.”

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 4 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 / 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)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.07.2021
Transmission Date	NA

