

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11117 of 2021

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Ajay Kumar Son of Vijay Prasad Resident of village- Rahui, P.S.- Rahui,
District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate cum Collector, Nawada
2. The Superintendent of Police, Nawada
3. The Officer Incharge, Rajauli Police Station, in District Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim, 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)

**(The proceedings of the Court are being conducted through
Video Conferencing and the Advocates joined the proceedings
through Video Conferencing from their residence.)**

Date : 19-07-2021

Heard learned counsel for the parties.

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

“1. This writ application is directed for quashing order dated 8.2.2021 passed in Excise Appeal Case No.86/21 by the Commissioner Excise Bihar, Patna as soon as for quashing the order dated 9.12.2020 passed by the District Magistrate in case No.36 (Excise) 2020 where order has been given for auction of vehicle in question.

(i) This application is also being filed for holding that this impugned order dated 8.2.2021 and as well as 9.12.2020 as contained in Annexure 1 and 2 respectively are illegal arbitrary and without and lawful justification.”



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	24.07.2021
Transmission Date	NA

