

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11878 of 2021

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Nazo Khatoon W/o Md. Mustakim Resident of Vill- Champanagar Banaili,
Kohbara @ Ramnagar, P.S.- K. Nagar, Dist- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Purnia.
3. The Excise Inspector, Purnia.
4. The Officer Incharge, K. Nagar Police Station, Purnia.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick, Advocate
For the Respondent/s : Mr. Vikash Kumar, S.C. 11

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

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

Date : 20-07-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief(s):-

“(i) To quash the order dt. 11.02.2020 passed by the Collector, Purnia, respondent no. 2 in Excise Case No. 326/2019.

(ii) To direct the respondent no. 2, the Collector Purnia to release the motorcycle bearing Registration No. BR11AM-1552 which is seized by the Champanagar Police on 10.09.2019 in vide Champanagar/K.Nagar P.S. Case No. 345/2019

(iii) To grant any other relief/reliefs as to which the petitioner is entitled in the facts and circumstances of the case.”



Petitioner has approached this Court without exhausting the statutory remedy of appeal against the impugned order, as such, petitioner is granted liberty to avail the remedy of appeal against the confiscation order passed by the Confiscating Authority- cum- District Magistrate, before the Appellate Authority and if any such appeal is filed within 8 weeks then appellate authority shall condone the delay in filing the appeal and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

During pendency of appeal, the confiscated 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)

Rajiv/veena-

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

