

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7723 of 2020

Shankar Sah S/o Jhaman Sah, Resident of Ward No.-4 Chak Bairisal, P.S.-
Patepur, District-Vaishali.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Collector, Vaishali at Hajipur.
3. The Block Supply Officer, Patepur, Vaishali.

... .. Respondents

Appearance :

For the Petitioner :	Mr. Dhananjaya Nath Tiwari
For the Respondent State:	Mr. S. Raza Ahmad, AAG-5
	Mr. Alok Ranjan, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 16-07-2021 This writ application has been filed for release of the petitioner's truck bearing registration No. BR01GA/8184, which was seized in connection with Tisiautta P.S. Case No. 32 of 2020 and became subject matter of confiscation under the provisions of Essential Commodities Act.

Learned counsel representing the respondent State of Bihar informs this Court that the competent authority has passed a final order confiscating the vehicle in question. That being so, this Court cannot entertain a prayer for release of the truck in favour of the petitioner, as by virtue of passing of the order of confiscation and during the operation of the said order, the truck has become property of the State Government.

It goes without saying, however, that the petitioner



shall have liberty to take other legal remedies including by way of filing an appeal against the order of confiscation before the appellate authority. It is observed that if the petitioner prefers an appeal within the stipulated time, the appellate authority shall make endeavour to dispose of the appeal expeditiously and in any case within a period of six months from filing of the appeal.

This writ application stands disposed of accordingly with the aforesaid observation.

(Chakradhari Sharan Singh, J)

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