

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13291 of 2021

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Raj Kumar Sah Son of Late Ram Chalitar Sah, Resident of Vill-Barbighan,
P.S.-Baliya, Dist-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Excise and Registration Department, Govt. of Bihar, Patna.
2. The District Magistrate, Begusarai.
3. The Superintendent of Police, Begusarai.
4. The Officer in Charge Excise Department, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. Kumar Manish (S.C. 5)

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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 : 30-07-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief(s):-

- “(1) To issue an appropriate writs/writs order/orders direction/directions including a writ in the nature of certiorary to quashing the order dated 01.03.2021 passed by Commissioner, Excise Patna in Excise Appeal No. 138 of 2021 in which learned Commissioner confirm the order passed by learned Collector, Begusarai in Confiscation Case No. 77 of 2020 in which learned Collector Confiscate/seized the vehicle of the petitioner bearing Reg. No. BR09GA-2786 (Pickup Van) which was seized in Excise Police report in Excise P.R. Case No. 80C2 of 20 dated 07.04.2020 which belongs to the petitioner.
- (2) To issue an appropriate writ/order or direction to directing the respondents not to take any coercive measure against vehicle of petitioner.

(3) To grant any other writ order or direction may be issue for which petitioner is 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 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 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