

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2792 of 2021

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Marani Devi, Wife of Kishori Chaudhary, Resident of Village-Abgilla
Chaurasa, P.S. Chandradeep, District-Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Bihar, Patna.
2. The District Magistrate, Jamui.
3. The Sub Divisional Officer, Jamui.
4. The Superintendent of Police, Jamui.
5. The Officer Incharge of Chandradeep Police Station, P.S. Chandradeep,
District-Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate
For the Respondent/s : Mr. A.C. to A.G.

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

Date : 15-03-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

“That through this writ application the
petitioner seeks indulgence to this
Hon’ble Court for issuance of an
appropriate writ(s), order(s) and
direction (s) especially for issuance writ
of certiorary to quash the order dated
05.07.2019 passed by the District



Magistrate and Collector, Jamui in Confiscation Case No. 40/2018 (arising out of Chandradeep P.S. Case No. 25/2018 registered under Sections 272, 273 of I.P.C. and Section 30/30(A) of the Bihar Excise Prohibition Act, 2016) whereby the respective house of the petitioner directed to confiscate and put for auction and further the respondents authority be directed to unsealed the house of the petitioner and/or for granting other relief(s) to the petitioner for which he is legally entitled.”

Petitioner has filed this writ petition for setting aside the order dated 05.07.2019 passed by District Magistrate-Cum-Confiscating Authority, Jamui in Confiscation Case No. 40/2018 by which the house of the petitioner has been confiscated and directed to be auction sold.

Petitioner has approached this Court without availing the statutory remedy of appeal against said order, as such, present writ petition is disposed of with liberty to the writ petitioner to approach the appellate authority against said order



within four weeks, and, if any, such appeal is filed, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on merit within eight weeks from the date of filing of such appeal and during pendency of appeal, the house shall not be auction sold, if not already auction sold.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.03.2021
Transmission Date	NA

