

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14154 of 2021

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1. Pintu Kumar @ Roushan Kumar S/o Lalbabu Yadav R/o Village- Ranipur Paijawa, Purbi Tola, P.S.- Chowk, District- Patna.
 2. Savita Devi W/o Pintu Kumar @ Roushan Kumar R/o Village- Ranipur Paijawa, Purbi Tola, P.S.- Chowk, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Registration Excise and Prohibition Department, Bihar, Patna.
2. The Excise Commissioner Bihar Prohibition and Excise Act 2016.
3. Collector Cum District Magistrate Patna.
4. Superintendent of Police Patna.
5. Officer in Charge Bypass Police Station Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rewti Kant Raman, Advocate
For the Respondent/s	:	Mr.Vivek Prasad (G.P. 7)

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 : 17-08-2021

Heard learned counsel for the parties.

Petitioners have prayed for following relief(s):-

“That this writ application is being filed for quashing the order dated 12.02.2021 passed by the respondent no. 2 in Excise Appeal No. 56 of 21 contained in Annexure-4 by which he has affirmed the order dated 11.12.2020 passed by the District Magistrate cum Collector, Patna respondent no. 3 in Confiscation Case No. 635/2019-20 contained in Annexure-3 by which he has confiscated the Godawn of the petitioner.

Petitioners have approached this Court without availing the statutory remedy of revision against the impugned appellate order, as such, liberty is granted to petitioners 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 property 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