

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14261 of 2021

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Shyam Bihari Paswan, Son of Late Ram Dhin Paswan, Resident of Village - Chintamanpur, Police Station- Sasaram (M), District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas at Dehri-on-Sone.
4. The District Excise Officer, Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Respondent/s : Mr.Vikash Kumar (S.C.11)

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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 : 21-08-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief(s):-

“That, the petitioner craves indulgence of this Hon’ble Court for issuance of an appropriate writ in the nature of mandamus or any other writ/writs, order/orders, direction/directions directing the respondent no. 2 to unseal/release the Grocery shop in favour of the petitioner within a specified period in connection with Excise Case No. 34 of 2021 in which the Grocery shop of the petitioner has been illegally sealed for the alleged offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and any other relief/reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

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 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