

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16249 of 2021

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Vikash Kumar Pandey, son of Sri Nirmal Kumar Pandey, Resident of Mohallah-Belvaganj, Mirza Khan Talab, Police Station-Laheriasarai, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner of Excise Bihar, Patna.
2. District Magistrate, Darbhanga.
3. Superintendent of Excise, Darbhanga.
4. The Inspector, Prohibition, Excise and Prohibition Department, Government of Bihar, Sadar Sub-Division, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gyanand Roy
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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

Date : 03-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(i) For quashing the impugned order dated 18.12.2020, passed by the Commissioner, Excise, Bihar, Patna, in Excise Appeal No. 116 of 2020, which has been communicated to the petitioner by Memo No. 390 dated 15.01.2001 as contained in Annexure P/1 to this writ petition by which the order of the Collector and District Magistrate, Darbhanga, dated 14.08.2020, passed in Confiscation Case No. 95 of 2020 by which he has passed the order of confiscation of the Datsun Redi Go Car of the

petitioner, bearing registration number BR06BS-9933, seized in connection with G.O. Case No. 1136 of 2019 on the basis of P.R. No. 38 of 2019, has been directed to be confiscated in exercise of the power conferred upon him under section 58(2) of the Bihar Excise And Prohibition Act, 2016.”

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 4 weeks, then the Revisional Authority 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)

ranjan/-

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