

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17028 of 2021

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Ravi Ranjan Kumar @ Ravi Ranjan Mayar, S/o Naval Kumar, Resident of
Village - Itahat (Mauar Khaira), P.S. Barun, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Prohibition and Excise Department,
Bihar, Patna.
2. Excise Commissioner, Bihar, Patna.
3. District Magistrate, Aurangabad.
4. Office - in - Charge, Police Station - Barun, Distict- Aurangabad.

... .. Respondent/s

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Appearance :

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

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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 issuance of an appropriate writ in the nature of certiorari for quashing the order dated 13.08.2021 passed in Excise Appeal No. 433/2021 passed by learned Excise Commissioner, Bihar, Patna by which learned Appellate Authority confirmed the order dated 09.02.2021 passed in vehicle Confiscation Case No. 50/2021/53/2020 passed by learned Senior Deputy Collector-cum-Presiding Officer, Aurangabad by which the Car of the petitioner, KUV-100 NXT vide registration No. BR-01-PJ 4034 (Car) was confiscated illegally in Barun P.S. Case No. 247/2019 registered U/s 30(a) of Bihar Prohibition and Excise Act.”

(ii) For issuance of appropriate writ in the nature of mandamus directing the respondent authority to release the confiscated car as stated above in favour of the

petitioner who is registered owner of the car.
(iii) To grant any other relief/reliefs to which the petitioner may be found entitled to 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 4 weeks, then Revisional Authority shall decide the revision petition on its own merit preferably within 8 weeks from the date of its filing.

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)

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CAV DATE	
Uploading Date	
Transmission Date	