

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17356 of 2021

=====

Rajesh Kumar, son of Vijay Singh, R/o Silao, P.S.-Silao, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Registration Excise and Prohibition Department, Govt. of Bihar.
2. The Principal Secretary, Registration Excise and Prohibition Department, Govt. of Bihar.
3. The Collector cum District Magistrate Nalanda at Bihar Sharif.
4. The Superintendent of Police, Nalanda at Bihar Sharif.
5. The Officer In-charge of Rajgir Police Station, Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaudhary, Advocate
For the Respondent/s : Mr.Kumar Manish (SC-5)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 10-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“(i) For quashing the order dated 24.8.2021 passed by the Commissioner Excise Patna in Excise appeal Case No. 472/2021 whereby and Where under order dated 19/ 7/ 2021 passed by the Additional Collector cum Additional District Magistrate Nalanda passed in confiscation (Excise) Case No. 212/21 has been confirmed dismissing the Excise appeal (contend in Para-3)

(ii) For further directions to release the alleged Vehicle vide registration No. BROIPJ-3895 Chassis No. MA1 TA2TKJ2D 39271 and Engine No. TDJ4D85839 in favour of the owner of the alleged Vehicle i.e. petitioner, which was using in a marriage ceremony of his friend, and was used by him without consent of the petitioner.”

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 preferably on its own merit 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)

Rajiv/veena-

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