

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20414 of 2021

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Roopendra Singh Bhadauria @ Roopendra Singh son of Ravindra Singh Bhadauria resident of Mohalla- Saraswati Nagar, Bhind, Ward No.- 35, Police Station- City Kotwali, District- Bhind, Madhya Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Patna.
2. The Principal Secretary, Department of Excise, New Secretariat, Patna.
3. The Collector-Cum- District Magistrate, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Police Inspector, Prohibition and Excise, Balthati Check Post, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Respondent/s : Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-12-2021

Heard learned counsel for the parties.

The petitioner has prayed for the following relief/s :-

That this petition is being filed for issuance of a Writ in the nature of Mandamus, commanding the respondents to release the Bus No. **UP75AT2111**, Engine No. **61G84323309**, Model No. 2016, Chassis no. **MAT476102G0H05659** in the light of the order passed by this Hon'ble Court in **C. W. J. C. No. 9769 of 2021** on 06-07-2021.

Petitioner has approached this Court without exhausting the statutory remedy of appeal against the impugned order, as



such, petitioner is granted liberty to avail the remedy of appeal against the confiscation order passed by the Confiscating Authority- cum- District Magistrate, before the Appellate Authority and if any such appeal is filed within 4 weeks then appellate authority shall condone the delay in filing the appeal and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

During pendency of appeal, the 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)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	24.12.2021
Transmission Date	

