

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7910 of 2018

In
Criminal Writ Jurisdiction Case No.2868 of 2017

Chandeshwar Sao S/o Late Bihari Sao Resident of Bibiganj, Lal Kothi, P.S.
Danapur, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Patna.
3. The Marketing Officer, Rationing, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr.Arvind Ujjwal SC-4

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-07-2022

Heard learned counsel for the parties.

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

1. That this writ petition is being filed on behalf of the petitioner for quashing the order dated 07.09.2017 passed in Confiscation Case No. 09 of 2014-15 passed by the learned Collector-cum-District Magistrate, Patna by which he was pleased to confiscate the Truck of the petitioner under section 6A of the E.C. Act bearing no. BR-1B-5613 and further be pleased to provisionally release the said truck to the satisfaction of learned Collector, Patna subject to result of LPA No. 1647 of 2015.

On 16.02.2018 this Court had passed the following
order:-

“Learned counsel for the petitioner seeks permission to convert this writ application in a Civil Writ in order to challenge the vires of the provisions of E.C. Act whereunder an executive such as Collector has been conferred with the power to confiscate the properties seized. He is permitted to do so.

Office to report accordingly.”

Learned counsel for the petitioner submits that the original writ petitioner has since expired and the petition be disposed of reserving liberty to the surviving legal heirs to file a fresh petition, in its proper form, on the same and subsequent cause of action.

Liberty as prayed for is granted.

Petition stands disposed of with the liberty aforesaid.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	