

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10903 of 2022

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Prabha Kunwar @ Prabha Devi Wife of Late Rama Shankar Singh @
Banarasi Chandrabanshi, Resident of Village New Deliya Ward No. 20, P.S.
Dehri, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Patna.
2. The Excise Commissioner, Patna.
3. The District Magistrate, Sasaram, Rohtas.
4. The Superintendent of Police, Sasaram, Rohtas.

... .. Respondent/s

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice /Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences /offices.)

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Adv
For the Respondent/s : Mr.Vivek Prasad (GP 7)

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

Date : 05-08-2022

Heard learned counsel for the parties.

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

1. That this application is being filed for issuance of an appropriate writ/ writs, order/ orders, direction/ directions to the respondents to release the dwelling house bearing Khata No. 24, Plot No. 165 belongs to New Dilliya, Dehri, Rohtas which was sealed by the order of Collector, Rohtas in Confiscation Case No. 195 of 2020.

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 impugned order before the Revisional Authority and if any such revision is filed within 4 weeks, then revisional authority shall condone the delay in filing the revision as the matter remain pending before this Court and shall decide the revision petition on its own merit preferably within 8 weeks from the date of its filing.

During pendency of revision, the confiscated property shall not be auction sold, if not already auction sold.

Petitioner is also at liberty to get his/her house released on payment of penalty in terms of Rule 12(B) inserted by amending Bihar Prohibition and Excise Rules, 2021.

With said observation and direction, this writ petition is

disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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