

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3111 of 2023

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Sunil Kumar Gupta Son of Ramji Prasad Gupta @ Ranjeet Prasad Gupta, R/o Village- Silanath Dulipatti N.H.- 105, Ward No.- 4, P.S.- Jaynagar, Dist.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar State Food and Civil Supplies Department, Government of Bihar, Patna.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Daroga Prasad Rai Path, Patna.
3. The District Manager, State Food Corporation, Madhubani.
4. The Commissioner, Darbhanga Division, Darbhanga.
5. The Collector cum District Magistrate, Madhubani.
6. The Sub- Divisional Officer, Jhanjharpur, Madhubani.
7. Block Development Officer, Madhepur, Jhanjharpur, Madhubani.
8. Block Supply Officer (Sujeet Kumar), Madhepur, Jhanjharpur, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Baidya Nath Prasad, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4
		Mr. U.P. Singh, AC to SC-4
For BSFC	:	Mr. Shailendra Kumar Singh, Advocate
		Ms. Usha Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 21-04-2023 1. The petitioner challenges the order dated 10.10.2022, passed by the Collector, Madhubani in Supply Confiscation Case No. 13 of 2021-22, whereby the vehicle of the petitioner has been confiscated.

2. In view of this Court, in terms of Section 6(C) of the Essential Commodities Act, 1955, against the order of confiscation, an appeal lies before the Appellate Authority. The



appeal is required to be filed within a period of thirty days. However, it appears that against the order of confiscation, the petitioner had not filed the appeal and has directly come to this Court, challenging the said order, inspite of the fact that the order itself mentions of provisions of appeal.

3. Granting such liberty to the petitioner to file an appeal before the appellate authority, the present writ petition is dismissed.

4. If such an appeal is filed, the same shall be decided by the Appellate Authority on merits without delving into the question of limitations.

(Sanjeev Prakash Sharma, J)

Amrendra/-
Item No. 22

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