

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8998 of 2023

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Rakesh Kumar Dubey Son of Nishikant Dubey, Resident of Village-Chatiya,
Police Station-Malahi, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer Incharge Kateya Police Station, Distt-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Adv.
For the Respondent/s : Mrs.Shama Sinha (AC to SC5)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 27-07-2023 In the instant petition, petitioner has prayed for the
following reliefs:-

*(I) To direct the respondent
authorities to release fo white Maruti
Suzuki Wagnor Car bearing reg. no.
BR01CL8650, Chesis No. -
MA3EWDE1500913350 Engine No. -
K10BN4755026 in favour of peti-
tioner.*

*(ii) For any other relief/re-
liefs for which petitioner is found en-
titled in the facts and circumstances
of this case.*

2. Question of issuance of writ of mandamus is not
warranted in the absence of any application or representation



before the competent authority and so also public duty vested with the concerned public servant. This ingredient is not forthcoming from the records. Therefore, the present petition is not maintainable.

3. Accordingly, the present petition stands disposed off reserving liberty to the petitioner to approach the competent authority while submitting applications/representations insofar as release of vehicle. The concerned authority is hereby directed to take note of the relevant factual aspects of the matter read with the relevant provisions and consider the petitioner's representation/application within a period of four days from the date of receipt of the petitioner's application/representation.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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