

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15800 of 2013

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Kameshwar Pandey, son of Late Chandradeo Pandey, resident of Village
Gaziyaipur, Police Station Bhagwanpur, District Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through Transport Commissioner, Bihar, Patna.
2. Superintendent of Police Traffic, Darbhanga
3. District Transport Officer, Darbhanga
4. Enforcement Officer, Transport Department (Enforcement Inspector)-cum-Motor Vehicle Inspector, Bihar.
5. Officer-In-Charge, Mabbi O.P., Darbhanga.
6. Superintendent of Police, Traffic, Hajipur
7. Enforcement Sub Officer, posted at Toll Plaza At Ganga Bridge Police Station
8. The Secretary, Department of Transport, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sarva Deo Singh, Advocate.
For the Respondent/s : Mr. Vivek Prasad, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

29 13-02-2023 Heard Mr. Sarva Deo Singh, learned counsel

appearing on behalf of the petitioner and Mr. Vivek Prasad,

learned counsel appearing on behalf of the respondent.

2. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has been put to much
inconvenience due to illegal seizure of the vehicle bearing
Registration No. HR38Q3712 effected on 10.09.2012. The
vehicle was detained till its release and reference regarding
release of the vehicle is contained in order dated 07.11.2012
passed in C.W.J.C. No. 19458 of 2012.

3. Mr. Vivek Prasad, learned counsel appearing on



behalf of the respondent informs this Court that disciplinary action was taken against the delinquent officer Mr. Girish Kumar and he was terminated from service against which Mr. Girish Kumar preferred C.W.J.C. No. 8483 of 2014 and this Court vide order dated 02.05.2016 was pleased to quash the punishment order. He further submitted that the petitioner has a remedy to claim compensation by filing an appropriate suit before the competent civil court in accordance with law. The petitioner, if so advised, may claim compensation in accordance with law.

4. This Court directs the District Transport Officer, Darbhanga to consult with government valuer to determine the amount of compensation and communicate the same to the petitioner within a period of three weeks. In case the petitioner don't receive any communication from the District Transport Officer, Darbhanga within a period of six weeks, he is at liberty to avail appropriate remedy to seek compensation.

5. Accordingly, the writ petition stands disposed of.

(Purnendu Singh, J)

Mantreshwar
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