

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16952 of 2023

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Amit Kumar Son of Sri Mahesh Prasad Singh, resident of village- Narsingpur,
P.S. Musari, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise, Government of Bihar, Patna.
2. The Excise Commissioner, Tirhut Division, Muzaffarpur.
3. District Magistrate, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.
5. The Excise Superintendent, Muzaffarpur.
6. The Officer-in-Charge, Bela Industrial Estate, Police Station - Bela, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Sinha
For the Respondent/s : Mr. Anuj Kumar, AC to SC12

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2 05-12-2023 In the instant petition, petitioner has prayed

for the following relief(s):

*(i) For issuance of a direction to
the respondent authority with regard to open
the seal of the petitioner premises situated at
Khata No.136, Khesra No.680, 684 area
12,500 sq.ft. in village – Dhiran Chhapra,
P.S. Bela, District – Muzaffarpur as
exclusive property of the petitioner which
has been sealed in connection with P.S. Case
No. 07 / 2022 Police Station Bela Industrial*



Estate, District Muzaffarpur.

(ii) For issuance a direction that the sealed premises of the petitioner may be unsealed and handed over to the possession of the petitioner whereas petitioner is owner of the premises.

(iii) That the petitioner has filed an application before the Competent Authority, the Collector under Rule 6(b) of the Excise (Amendment) Act, 2022, the same may be disposed of.

(iv) For grant of any other relief/reliefs to which the petitioner may be found entitled to in the interest of justice.

2. In support of the petitioner's relief, he has furnished representation / application dated 09.10.2023 vide Annexure-5. The concerned authority has failed to consider the grievances of the petitioner in accordance with the relevant provision of law. Therefore, the concerned authority is hereby directed to decide the petitioner's grievance / representation dated 09.10.2023 in so far as de-sealing of the petitioner's premises situated at Khata No.136, Khesra No.680, 684 area 12,500 sq.ft. In Village – Dhiran Chhapra, P.S. Bela, District – Muzaffarpur.

3. The above action shall be taken by the



concerned authority within a period of two weeks from the date of receipt of this order.

4. Accordingly, the present writ petition stands disposed of.

5. If, statutory provision provides for oral hearing of the concerned party, petitioner shall be heard in the matter.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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