

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2330 of 2024

=====

Amit Kumar Singh s/o Sri Dhurandhar Prasad Singh, R/o Village-Rahul
Nagar Brahmpura, Post-M.I.T. Brahmpura, P.S.-Brahmpura, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition and
Excise Department, Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Superintendent of Excise, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Adv.
For the Respondent/s : Mr.Standing Counsel 1

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 01-04-2024

In the instant petition, petitioner has prayed for
the following relief(s):-

*(i) To issue an appropriate
order/s, direction/s including a writ preferably in
nature of Mandamus commanding the
respondents to make the payment of Excise
Auction security money amounting to Rs.
18,500/- which has been deposited by the
petitioner during the course of public auction
against purchasing of motorcycle bearing Reg.
No. BR06BE-7615 during the course of auction
which has been held on 18-04-2022 at the office*



of Superintendent of Excise, Muzaffarpur under section 58(5) of Bihar Prohibition and Excise Act, 2016.

(ii) To direct the respondent to make the payment of 18% interest on the abovementioned dues to the petitioner on account of delay and laches on the part of respondents.

(iii) Any other relief/s to which the petitioner is entitled in the facts and circumstances of the case.

2. Matter was heard from time to time. On 28.03.2024 the following order was passed:-

None appears for the petitioner.

2. Petitioner is hereby directed to approach Mr. Arvind Paswan, S.H.O within two days. The S.H.O. shall deliver the motor vehicle while taking photograph of the petitioner and one or two witnesses supporting handing over the subject matter of the motor vehicle in favour of the petitioner, failing which Mr. Arvind Paswan, S.H.O. is liable to pay cost of Rs. 5,000/- to High Court Legal Services Authority.

3. Re-list this matter on 01.04.2024.



3. Today, learned counsels for the respective parties on instruction submitted that grievance of the petitioner has been redressed.

4. Prima facie petitioner has been unnecessarily harassed and dragged to this court in filing petition. Therefore, respondents are hereby directed to pay litigation cost and it is quantified at Rs. 5,000/- (Rupees five thousand). Cost shall be paid to the petitioner within a period of eight weeks from today.

5. In the result, the present petition do not survive for consideration. Accordingly, the petition stands disposed of as it has become infructuous as on today.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

shahzad/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	05.04.2024.
Transmission Date	N.A.

