

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6587 of 2024

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Mamta Devi Wife of Ishwar Chandra Gupta @ Pappu Sharma R/o Patuaha,
P.S. Town Saharsa, District Saharsa proprietor Ishwar Rice Mill, Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Collector, Saharsa.
2. The Collector, Saharsa.
3. The Sub-Divisional Officer, Sadar, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate
For the Respondent/s : Mr.Government Pleader (4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-09-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1(i) For issuance of a writ in the nature of mandamus or a writ of mandamus or any other writ of the like nature thereby directing the respondents to make payment of the sale proceeds of the confiscated rice alongwith 9% interest, as directed vide order dated 30/05/2022, passed in Criminal Appeal No. 06/2020, by the learned Additional District and Sessions Judge, II, Saharsa.

(ii) For issuance of a writ in the nature of mandamus or a writ of mandamus or any other writ of the like nature thereby directing the respondents to pay such compensation and penal interest over unpaid money as this Hon'ble Court may determine on account of



loss of business and growth of business of the petitioner.

(iii) For issuance of writ in the nature of mandamus or a writ of mandamus or any other writ of the like nature thereby directing the respondent authorities to adequately compensate the petitioner for the loss of business and livelihood caused due to illegal and atrocious act of the respondents.”

2. At the outset, the simple prayer, made by the learned counsel for the petitioner is to direct the learned Court of Additional District and Sessions Judge-II, Saharsa to enforce the order, passed by him on 30.05.2022, in Criminal Appeal Case No.06 of 2020 (Mamta Devi Vs. The State of Bihar and Ors.)

3. As far as the learned counsel appearing for the respondents are concerned, it is not disputed that the aforesaid order dated 30.05.2022, has not been annulled by any higher Court of law, hence it is submitted that needful would be done, expeditiously.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Additional District and Sessions Judge-II, Saharsa to take appropriate steps, in accordance with law, to enforce his order dated 30.05.2022, in



case the petitioner files appropriate petition, within a period of four weeks from today.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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