

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3176 of 2024

Chandan Kumar, Male, aged about 45 years, son of Sri Shambhu Prasad Ram,
Resident of Prabhat Colony, Chas, P.S. Chas, District - Dhanbad (State -
Jharkhand)

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Katihar.
2. The Collector, Katihar
3. The Superintendent of Police, Katihar
4. The Superintendent of Excise, Katihar
5. The Inspector, Motor Vehicle, Katihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate.
For the Respondent/s : Mr. Government Pleader (3).

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

8 17-02-2025 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the
following reliefs:-

“.....for issuance of an appropriate writ/writs, order/orders quashing thereby the order dated 20.10.2023 passed by the learned Collector, Katihar in 6(A) E.C. Case No. 120/2022-23 as contained in Annexure-P/7 whereby and whereunder the learned Collector has directed the Superintendent of Excise (Madya Nished) Katihar to ensure for auction of the seized vehicle bearing Regn. No. JH-09-AM/1375 belonging to the petitioner on receipt of valuation made by the Motor vehicle Inspector, Katihar and deposit the



auctioned money in the treasury in appropriate head and further the respondents may be directed to release the seized vehicle in favour of the petitioner and stay the operation of the order contained in impugned order dated 20.10.2023 till the final disposal of this writ application.”

3. In the counter affidavit filed by the Respondent No. 3, it is specifically stated at Paragraph No. 4 (g) as under:-

“4(g) that after the auction of the said vehicle as per the order of District Magistrate of Katihar dated 18.10.2023 vide letter No. 4627, the auction was conducted by the Excise Superintendent, Katihar the amount received from the auctioned vehicle the amount received from the auction i.e. Rs. 3,88,500/- was kept safely in the custody of Treasure, Katishar.”

4. Having regard to the above, the present writ petition is **disposed of** granting liberty to the petitioner to file an appropriate application before the Collector, Katihar for release of the amount in accordance with law.

(A. Abhishek Reddy, J)

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