

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4667 of 2019

In
Civil Writ Jurisdiction Case No.7054 of 2019

=====

Smit Kumar

... .. Petitioner

Versus

Sri Amir Shubhani, S/o not known, Commissioner, Excise and Prohibition
Department & Ors.

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Manoj Kumar Sinha, Advocate

For the Opposite Parties : Mr. Vivek Prasad, GP-7

Mrs. Manisha Singh, AC to GP-7

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

and

HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

7 03-09-2025 The present contempt application has been filed for initiation of contempt proceedings against the opposite parties for willful disobedience of order dated 16.05.2019 & 31.07.2019 in CWJC No.7054 of 2019 passed by a Co-ordinate Bench of this Court. The vehicle, in question, was seized in connection with the excise case and the Co-ordinate Bench of this Court had been pleased to direct the Respondent-State to release the said vehicle with following observation:

“This release of the vehicle would, however, be subject to initiation and finalization of the confiscation proceeding.”



2. Learned counsel for the opposite party submits that prior to passing of the order dated 31.07.2019, by the Co-ordinate Bench of this Court, confiscation proceeding had already been initiated on 01.04.2019, and the same was concluded on 31.07.2019. Hence, for the said reasons, the question of release could not arise.

3. In pursuance to the final order passed in the confiscation proceeding, the auction of the vehicle, in question, was also made on 19.09.2019.

4. Considering the facts indicated above, there is nothing to be considered in the present application.

5. Accordingly, the present application stands dismissed.

(Sudhir Singh, J.)

(Rajesh Kumar Verma, J.)

Gaurav Kumar/-

U			
---	--	--	--

