

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5841 of 2015

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Ram Babu Sharma, son of Sri Sudarshan Sharma, resident of village-
Aniath, P.S. Nawada, Dist- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Environment and Forest Department, Patna, Bihar.
3. Principal Chief Conservator, Patna, Bihar.
4. The Conservator of Forest Patna, Bihar.
5. The Divisional Forest Officer-Cum-Licensing Authority, Ara, Bhojpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha

For the Respondent/s : Mr. AC to GP-31

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 25-08-2015 Heard Sri Rajendra Nath Sinha, learned counsel for the

petitioner and learned AC to GP-31.

The petitioner, invoking writ jurisdiction under Article 226 of the Constitution of India, has approached this Court by filing the present writ petition on 13.04.2015 with a prayer to direct the Respondents to allow the petitioner to run Saw Mill. A plea has been taken that the petitioner had applied for licence on 02.03.1994 and, thereafter, he was regularly depositing the fee for renewal.

Learned counsel for the petitioner accepts that he was never granted licence, but was depositing the fee for renewal, whereas in the counter affidavit a specific stand has been taken

that the petitioner, after enactment of Bihar Saw Mills (Regulation) Act 1990 and Bihar Saw Mills (Regulation) Rule, 1993, though had applied for licence, but no required documents were submitted and, as such, the petitioner was not granted any licence. It has been accepted that the petitioner was depositing fee for renewal but the licensing authority has finally rejected the application of the petitioner on 18.09.2002. It has further been indicated that the Respondent authority sent back the deposited amount made by the petitioner through registered post, but he did not receive the same.

Keeping in view the fact that the petitioner was never granted any licence as well as the fact that the application for licence was rejected long back in the year 2002, after such a long time i.e. in the year 2015, no positive order can be passed.

The writ petition stands dismissed.

(Rakesh Kumar, J)

NKS/-

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