

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1683 of 2015

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Amit Kumar S/o Late Indradeo Singh R/o Village-Amari(Pump)Karwandia,
P.S-Sasaram (M),Distt-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Forest Department,
Govt. of Bihar, Patna
2. The District Magistrate, Rohtas at Sasaram
3. The Authorised Officer-cum-Divisional Forest Officer, Rohtas Forest
Division,Sasaram, Distt-Rohtas

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.2865 of 2015

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Parmanand Prasad son of Ram Jee Prasad, resident of village-New Sidhauli,
P.S. Dalmiya Nagar, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Forest Department,
Government of Bihar, Patna
2. The District Magistrate, Rohtas at Sasaram
3. The Authorised officer -cum- Divisional Forest officer, Rohtas Forest
Division, Sasaram, District - Rohtas

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.3855 of 2015

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Babllu Kumar S/o - Santish Kumar Singh R/o Village - Rampur Khaneti ,
P.S. - Sonhan , District - Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary Forest and Environment Department
Govt. of Bihar at Patna.
2. The District Magistrate Rohtas at Sasaram
3. The Divisional Forest Officer-cum-Authorised Officer Rohtas, Sasaram.

.... Respondent/s

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with

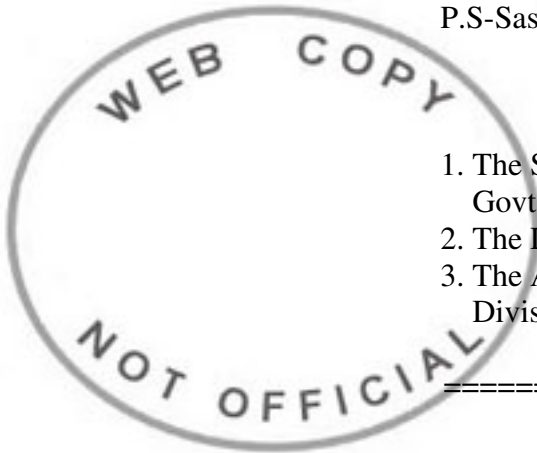
Civil Writ Jurisdiction Case No.6107 of 2015

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Vinay Kumar Pandey S/o-Haridas Pandey, R/o Mohalla- Teacher's Colony,
Charitravan , P.S. - Buxar, District- Buxar.

.... Petitioner/s

Versus



1. The State of Bihar through Secretary Forest and Environment Department Govt. of Bihar at Patna.
2. The District Magistrate Rohtas, Sasaram.
3. The Divisional Forest Officer cum Authorised Officer Rohtas, Sasaram.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.6509 of 2015

Arvind Kumar Singh, son of Vishwanath Singh, Resident of Mohalla-New Area, Sasaram, P.S.-Sasaram (M), District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Forest Department, Govt. of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Authorized Officer-cum-Divisional Forest Officer, Rohtas Forest Division, Sasaram, District-Rohtas.

.... Respondent/s

Appearance:

(In CWJC No.1683 of 2015)

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Respondent/s : Mr. Rajesh Kumar, GP-19

(In CWJC No.2865 of 2015)

For the Petitioner/s : Mr. Akhouri Vipin Bihari Shrivastava, Adv.

For the Respondent/s : Mr. A. Ujjwal, SC-25

(In CWJC No.3855 of 2015)

For the Petitioner/s : Mr. Uma Shankar Singh, Advocate

For the Respondent/s : Mr. Kumar Alok, SC-8

(In CWJC No.6107 of 2015)

For the Petitioner/s : Mr. Uma Shankar Singh, Advocate

For the Respondent/s : Mr. Uma Shankar- GP 4

(In CWJC No.6509 of 2015)

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Respondent/s : Mr. Kumar Priyaranjan, SC-23

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-05-2015

Learned counsel for the parties are present.

Since the matter in issue in these writ petitions is the same hence they have been taken up together for analogous hearing and disposal with consent of the parties.

The limited relief prayed by the petitioners in these writ



petitions is for a direction to the appellate authority under the Indian Forest Act, 1927, who in the present matters would be the District Magistrate, Rohtas at Sasaram for expeditious disposal of the appeal filed on behalf of the petitioners. While praying as such the petitioners have also prayed for provisional release of their vehicles pending adjudication of their appeals.

In each of these writ petitions, the confiscation proceedings have been decided against the petitioners and the appeals are pending.

The grievance of the petitioners is that the appeals are pending before the appellate authority and there being no sign of its expeditious disposal, the vehicles which are subject matter of the appellate proceedings would be rendered obsolete since they are kept under open sky and thus subjected to the vagaries of weather as well as wear and tear.

The individual details of the petitioner in each of the writ petitions are given hereinbelow:

(1) CWJC No. 1683 of 2015

The petitioner in this case has preferred Forest (Confiscation) Appeal No. 76 of 2013 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Rohtas at Sasaram in Confiscation Case No. 34 of 2012 arising from Forest Case No. 47F of 2012.

(2) CWJC No. 2865 of 2015

The petitioner in this case has preferred Forest (Confiscation) Appeal No. 66 of 2014 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Rohtas at Sasaram in Confiscation Case No. 177 of 2013 arising from Dehri (Dalmia Nagar) P.S. Case No. 630 of 2013.

(3) CWJC No. 3855 of 2015

The petitioner in this case has preferred Forest (Confiscation) Appeal No. 2 of 2015 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer-cum-Authorized Officer, Rohtas at Sasaram in Confiscation Case No. 70 of 2014 arising from Forest Case No. 56 of 2014.

(4) CWJC No. 6107 of 2015

The petitioner in this case has preferred Forest (Confiscation) Appeal No. 8 of 2015 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer-cum-Authorized Officer, Rohtas at Sasaram in Confiscation Case No. 93 of 2014 arising from Forest Case No. 69 of 2014.

(5) CWJC No. 6509 of 2015

The petitioner in this case has preferred Forest (Confiscation) Appeal No. 77 of 2013 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer-cum-Authorized Officer, Rohtas at Sasaram in Confiscation Case

No.12 of 2013 arising from Nasriganj (Rajpur) P.S.
Case No. 14 of 2013.

Having heard learned counsel for the parties and taking into consideration the limited prayer made by each of the petitioners, these writ petitions are disposed of with the direction to the District Magistrate, Rohtas at Sasaram-cum-Appellate Authority under the Indian Forest Act, 1927 to consider and dispose of the appeals of the petitioners in accordance with law and after giving opportunity of hearing to the contesting parties, expeditiously and preferably within three months from the date of receipt/production of a copy of the order and in case for any reason the appeal is not disposed of within the period stipulated hereinabove, the appellate authority would consider the prayer of the petitioners for provisional release of their respective vehicles in question and dispose of the same within one month thereafter in accordance with law.

With the observations/directions aforementioned, these writ petitions are accordingly disposed of.

(Jyoti Saran, J)

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