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Vinod
Mohalla
Rohtas.

1. The
Govt
2. The
3. The
4. The
5. The

.... Petitioner/s

1. The State of Bihar through Principal Secretary Forest Department Government of Bihar, Patna.
2. The District Magistrate, Rohtas Sasaram.
3. The Authorised Officer Cum Divisional Forest Officer Rohtas, Sasaram.
4. The Range Officer Sasaram Forest Area at Sasaram.
5. The Forester Tilauthu Cum Darigaon, Forest Circle, District - Rohtas

.... Respondent/s

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

ORAL ORDER

The present writ application seeks quashing of Forest Case No. 21 of 2014 registered as an official complaint in the Court of learned Chief Judicial Magistrate, Sasaram on 05.05.2014 by which the petitioner has been charged for committing offences under Sections 33, 41 and 42 of the Indian Forest Act, 1927 (Bihar Amendment Act, 1989).

Learned counsel for the petitioner submits that though there are violations of the provisions of the relevant laws with regard to seizure and confiscation but for the present without going into those aspects, he would be satisfied that the forest case pending before the Chief Judicial

Magistrate, Sasaram is itself directed to be disposed off expeditiously.

Despite copy of the application having been served on learned counsel for the State on 01.12.2014, no counter affidavit has been filed in the case. This Court does not approve such casual attitude of the respondents and may have proceeded to pass appropriate orders. However, in view of the fact that the writ petition, in the opinion of the Court, can be disposed off, the Court refrains from passing orders against the concerned respondents for not having filed appropriate counter affidavit.

Coming to the merits, this Court cannot appreciate the pendency of the forest case for over a year without there being any justification since the material evidence in the case is already before the concerned authorities and now only the trial has to be held in accordance with law.

Accordingly, the learned Chief Judicial Magistrate, Sasaram is directed to dispose off Forest Case No. 21 of 2014 expeditiously and in any case latest by 30th September, 2015. The respondents no. 2 to 5 are also directed to ensure full cooperation to the concerned Court. It goes without saying that the petitioner too shall cooperate in the disposal of the case.

The application stands disposed off in the

aforementioned terms.

The Registry shall communicate the order to the Court concerned through Fax also latest by tomorrow.

Learned State counsel shall communicate the order to the State authorities.

(Ahsanuddin Amanullah, J.)

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