

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13522 of 2015

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Sunil Kumar Chaudhary S/o- Paras Nath Chaudhary, R/o- Mohalla-
Bhartiganj, Sasaram, P.S. Sasaram, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Forest Department,
Government of Bihar, Patna
2. The Chief Conservator of Forest, Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram
4. The Authorized Officer-cum-Divisional Forest Officer, Rohtas, Sasaram
5. The District Forest Officer, Rohtas, Sasaram
6. The Range Officer Sasaram Forest Area at Sasaram
7. The Forestor Tilauthu Cum Darigaon, Forest Circle, District- Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

5 09-11-2015 Heard Sri Uma Shankar Singh, learned counsel for the
petitioner and learned AC to GP No. 4.

The petitioner invoking writ jurisdiction of this court under Article 226 of the Constitution of India, has prayed for directing the respondents for provisional release of his truck bearing Registration No. BR24G/9575 which has been seized in relation to Forest Case No. 74 of 2015. Alternatively, a prayer has been made to direct the Authorized Officer –cum- Divisional

Forest officer, to conclude the confiscation proceeding immediately.

It was argued by learned counsel for the petitioner that his vehicle was seized un-authorizedly and after seizure confiscation proceeding vide Confiscation Case No. 155 of 2015 has been initiated in which the petitioner appeared and filed a petition on 20.8.2015 for release of the vehicle in question. Besides filing petition for release he has also filed his show cause. However, no decision has been taken in the confiscation proceeding.

Keeping in view the fact that the vehicle in question was seized recently in the month of August, 2015, the court is of the opinion that without interfering with the matter the writ petition can be disposed of with an observation that the Authorized Officer –cum- Divisional Forest Officer, may take final decision in the confiscation proceeding without any delay.

It goes without saying that petitioner shall render full co-operation to the authority concerned for early disposal of the confiscation case. It is further made clear that if the petitioner fails to render any co-operation, the authority concerned would be at liberty to proceed ex - parte but the confiscation proceeding must be adjudicated preferably within a period of three months

from the date of receipt / production of a copy of this order.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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