

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6124 of 2011

=====

1. Smt. Shashi Devi W/O Late Hari Narayan Prasad Proprietor Of M/S Chandra Bhushan Saw Mills, Sursand Chow, R/O Sursand Chowk, P.S. - Sursand, District - District - Sitamarhi

.... Petitioner/s

Versus

1. The State Of Bihar the Secretary, Department Of Forest, Government of Bihar, Patna
2. The Appellate Authority cum Conservator of Forest, Muzaffarpur Circle, At P.O. And District - Muzaffarpur
3. The Divisional Forest Officer cum Licensing Officer, Tirhut Forest Division, At P.O. District - Muzaffarpur
4. Sidhehwar Sah S/O Mahanth Sah R/O Sursand Chow, Police Station - Sursand, District - Sitamarhi

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Uma Kant Shukla

For the Respondent/s : Mr. Rajeev Kumar Singh, GP 2
Mr Binoy Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 28-07-2015

Heard counsel for the parties.

Annexure- 5, dated 24.7.2007 issued by the appellate authority i.e. Conservator of Forest, Muzaffarpur is hereby set aside on the ground that the petitioner claims to be the owner of the Saw Mill Licence No.244 of 1996 and she was a necessary party to the dispute. However, for obvious reason she was not impleaded as a party and the order impugned contained in Annexure- 5 was obtained and based on the said order, the consequential order contained in Annexure- 6 showing the seniority has been issued.

Annexure- 5, dated 24.7.2007 is set aside with a direction upon the appellate authority that the present petitioner shall also be impleaded as a party along with the State of Bihar. She shall also be heard and then a fresh order would be passed.

Till such an order is passed, no advantage will be drawn by the private respondent on the basis of the notification contained in Annexure- 6.

Writ application is allowed to the extent indicated above.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--