

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13554 of 2015**

=====

Sanjay Kumar S/o- Kedar Nath Sharma, R/o Mohalla- Krishna Nagar,  
Brahmarshi Chowk, P.S.- Aurangabad, District- Aurangabad

.... .... 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 Arra at Sasaram
7. The Forestor Tilauthu Cum Darigaon, Forest Circle, District- Rohtas

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Uma Shankar Singh

For the Respondent/s :

=====

**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. 3.

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. BR2G/6551 seized on 2.8.2015 in relation to Forest Case No. 74 of 2015. The petitioner appeared on 13.8.2015 and filed petition for provisional release of the vehicle and also show cause. Alternatively, a prayer has been

made to direct the Authorized Officer –cum- Divisional Forest Officer, to conclude the confiscation proceeding immediately.

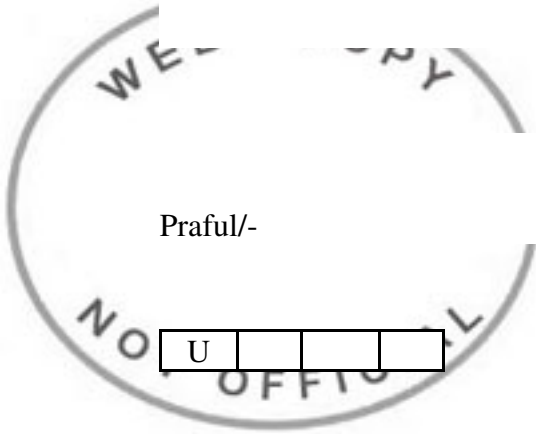
It was argued by learned counsel for the petitioner that his vehicle was seized un-authorizedly and after seizure confiscation proceeding vide Confiscation Case No. 147 of 2015 has been initiated in which the petitioner appeared and filed a petition on 13.8.2015 for release of the vehicle in question. Besides filing petition for release, he 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 the 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 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)**