

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21157 of 2014

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Sudhir Singh @ Sudhir Kumar Singh son of Late Ram Ruchi Singh,
resident of village-Gadhirampur, P.O.-Nauagarahi, P.S- Nauagarhi, P.S Naya
Ram Nagar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Forest Department, Government of Bihar, Patna.
3. The Chief Conservator of Forest, Bihar, Patna.
4. The Collector, Munger.
5. The Divisional Forest Officer, Munger Forest Division, Munger.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Respondent/s : Mr. Kumari Amrita, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 01-04-2015 Counsel for the parties are present.

The petitioner is aggrieved by the order dated 11.9.2014 of the Collector, Munger in Forest Appeal No. 1 of 2013-14 whereby the Collector as an appellate authority under the Indian Forest Act, 1927 has, while dismissing the appeal of the petitioner, affirmed the order dated 5.4.2013 passed by the Divisional Forest Officer, Munger in Confiscation Case No. 53 of 2012 whereby he has ordered for confiscation of the tractor and trailer of the petitioner bearing Registration No. BR-08B-9236 and BR-08G-1222.

In view of the provisions underlying Section 52B of the State Amendment vide Bihar Act 9 of 1990 to the Indian Forest

Act a revision lies before the Secretary, Forest and Environment Department, Government of Bihar against the order of the appellate authority.

Learned counsel for the petitioner submits that the period of limitation has expired during the pendency of the present writ petition.

Having heard learned counsel for the parties and taking note of the alternative remedy available to the petitioner under Section 52B of the Indian Forest Act, this Court would grant liberty to the petitioner to exhaust the statutory remedy of revision as available to him under Section 52(B) of the Act, if so advised, and any such revision being filed by the petitioner within 30 days from today shall be treated to be a revision within the prescribed period.

The writ application is disposed of.

So far as the prayer for interim release of vehicle is concerned, the petitioner can make his prayer before the revisional authority.

(Jyoti Saran, J)

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