

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2007 of 2013

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Lakshmi Sahu, S/O Saryug Sah, R/O Vill-Nirmali, P.O.-Nirmali, P.S.-
Nirmali, Distt-Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Chief Conservator of Forest, Govt. Of Bihar, Patna
3. The Divisional Forest Officer, Saharsa Division, Saharsa
4. Sri Rajendra Sharma S/O Not Known, M/S Rajendra Saw Mill, Simrahi,
P.O.-Simrahi, P.S.-Raghopur, Distt-Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Respondent nos.1to3: Mr.Amit Kumar Anand, AC to GP-15

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 14-05-2015 Though, this writ petition was filed way back on
29.01.2013, but till date counter affidavit has not been filed on
behalf of the respondents.

After having heard the parties and on consideration of
the materials available on record particularly in view of the nature
of the grievances/claims raised on behalf of the petitioner, which
are indicated in paragraph no.1 of the writ petition, this Court is of
the opinion that, instead of keeping the matter pending before this
Court awaiting the counter affidavit from the respondents, interest
of justice shall be sub-served, if the petitioner is granted liberty to
file a comprehensive representation with all supporting documents
before the respondent no.3, raising all the pleas, which have been
raised in the present proceeding. It is ordered accordingly.

If such a comprehensive representation is filed by the
petitioner within a period of four weeks from today with a
certified copy of the present order, then the respondent no.3 either

himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order, after giving an opportunity of hearing to all concerned, at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and the same is left to be decided by the competent authority of the respondent State strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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