

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14406 of 2013

=====

Ram Briksh Mistri, son of late Jhari Mistri, resident of village Bari Math,
police station parwalpur district Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Nalanda at Biharsharif
3. Authorised officer cum district Forest officer, nalanda at Biharsharif
4. District Forest Officer Islampur cum Ekangarsarai, District Nalanda

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Respondent/s :

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 06-08-2015 Heard Sri Lavkush Kumar, learned counsel for the
petitioner and learned AC to GA No. 10.

In the present writ petition a limited prayer has been made by the petitioner to direct the appellate authority i.e. the District Magistrate, Nalanda at Biharsharif to dispose of Forest Confiscation Appeal No. 10 of 2012. It was submitted by learned counsel for the petitioner that after confiscation of his vehicle i.e. tractor with trailer on allegation of commission of offences under the Indian Forest Act, 1927 a confiscation proceeding was initiated vide Confiscation Case No. 02 of 2012 which ended against the petitioner against which the petitioner preferred Appeal before the District Magistrate, Nalanda at Biharsharif vide Forest Confiscation Appeal No. 10 of 2012. By order dated

26.6.2012 the learned appellate court summoned the lower court record and since thereafter the appeal is pending without any progress.

The court is of the opinion that since the petitioner has only made a prayer for disposal of the Confiscation Appeal, the writ petition can be disposed of even in absence of counter affidavit. The writ petition was filed on 29.7.2013 however, till date, no counter affidavit has been filed. Accordingly, the writ petition stands disposed of with an observation that the learned District Magistrate, Nalanda at Bihar Sharif may take appropriate steps, so that, Forest Confiscation Appeal No. 10 of 2012 may come to its logical end without unnecessary delay preferably within a period of three months from the date of receipt/production of a copy of this order.

(Rakesh Kumar, J)

Praful/-

U			
---	--	--	--