

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13341 of 2013

=====

Devi Prasad Sharma S/o Late Nand Kishore Sharma, 'Proprietor Adarsh
Sharma Furniture and Chirai Mill' At Gandhipur Bariyarpur, P.S. -
Bariyarpur, Dist - Munger

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary Govt. of Bihar Patna
2. Divisional Commissioner, Munger
3. District Magistrate, Munger
4. Superintendent of Police, Munger
5. Incharge of Bariyarpur Police Station
6. Divisional Forest Officer Munger, Forest Division Munger, At Fort Area
P.S. - Kotwali Sadar Munger Dist - Munger
7. The Area Forest Officer Munger Area, Munger
8. Secretary, Bihar State Pollution Control Board, Patna
9. Barun Kumar Son of Gopal Mandal Resident of Village - Gandhipur, P.S.
- Bariyarpur, Dist - Munger

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha

For the Respondent/s : AC to Addl. Advocate General - 4

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 10-08-2015 Heard Sri Tarun Kumar Sinha, learned counsel for the
petitioner and learned A.C. to Addl. Advocate General – 4.

In the present writ petition, the petitioner has prayed
for quashing of an order dated 10-04-2013 passed in Misc. Case
No. 06 of 2012-13 by the Collector, Munger (**Annexure – 4** to the
writ petition). The said order has been passed, in view of order
passed by a Division Bench in a Public Interest Litigation. By the
said order, the Collector was directed to examine the matter and
pass appropriate order.

On perusal of the order of the Collector, Munger, it appears that he has requested the Forest Department to take appropriate action.

Learned counsel for the petitioner admits that though order of the Collector was passed in the month of April, 2013, till date no action has been taken by the Forest Department, particularly; the licensing authority.

In view of the fact that the Forest Department has not taken any action nor any step has been taken by the licensing authority affecting the right of the petitioner, the Court is of the opinion that at the moment, no writ can be issued. However, it is made clear that if any action is taken by the authority concerned particularly the Forest Department, the petitioner would be at liberty to immediately approach this Court by filing a fresh writ petition.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

Anay

U			
---	--	--	--