

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9524 of 2011

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Jagnarain Singh, son of Late Ramjee Singh, partner of M/s. Asha Timber Works, situated at Haribatika, Bettiah, West Champaran and resident of Moh. Haribatika, P.S.Bettiah Muffasil, Dist. West Champaran.

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, West Champaran Bettiah.
2. The Commissioner-cum-Secretary, Department of Forest and Environment, Government of Bihar, Patna.
3. The District Magistrate, West Champaran, Bettiah.
4. The Superintendent of Police, West Champaran, Bettiah
5. The Divisional Forest Officer-cum-Deputy Director, Tiger Project Division I, West Champaran at Bettiah.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. UMESH CHANDRA VERMA, ADVOCATE

For the Respondent/s : Mr. ANIL KR UAPDHYAY SC20

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-10-2015

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondents to renew the Licence No. 30/1991 (renewed Licence No. 23/ 1998).

3. Learned counsel for the petitioner submits that the petitioner in partnership had been running a saw mill since 1978. Subsequently on retirement of the partner the saw mill has been continued by the petitioner. It is submitted on behalf of the petitioner that even though the licence initially granted in the year 1991 was renewed upto the year 2001, but the same is not being renewed thereafter despite the petitioner having deposited the

requisite fee for renewal of licence. It is submitted that a representation for the purpose has been filed before the respondent no. 5, which is still pending.

4. A counter affidavit has been filed on behalf of the respondents enclosing a copy of letter No. 112 dated 11.01.2005 whereby the petitioner's application for renewal of licence dated 30.12.2004 has been rejected on the ground that the licence was non-transferable.

5. No rejoinder has been filed on behalf of the petitioner. The petitioner has not been able to justify his claim for renewal of licence by showing that despite the partnership firm, which had earlier been granted the licence, having been dissolved, the petitioner as the sole proprietor continued to be eligible for renewal of the licence.

6. In that view of the matter, this Court does not find any merit in the writ petition. The writ petition stands dismissed.

(Vikash Jain, J)

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