

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10706 of 2014

=====

M/s Janta Saw Mill, through its Partner Parimal Chandra Das, Son of Late Hari Charan Das, resident of Kalighat, Balouri, Police Station - Sadar, District – Purnea Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Forest & Environment, Government of Bihar, Patna
2. The Principal Secretary, Forest & Environment, Govt. of Bihar, Patna
3. The Secretary, Forest & Environment, Government of Bihar, Patna
4. The Principal Chief Conservator of Forest, Patna
5. The Conservator of Forest, Purnea Circle, Purnea
6. The Divisional Forest Officer, Purnea Circle, Purnea

..... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Ranvijay Narain Singh

For the Respondent/s : Mr. AC to SC-27

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 10-08-2015 Heard Sri Rajesh Kumar Singh, learned counsel, who was assisted by Sri Ranvijay Narain Singh, learned counsel for the petitioner and learned AC to SC-27.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has prayed for quashing of a notice, bearing letter no.3259 dated 16.11.2013 issued by the licensing authority-cum-Divisional Forest Officer, Purnea, by which the petitioner has been asked to produce original documents in relation of ownership of his establishment, which is having licence no.31/94. It has further been indicated that if by the date fixed, he fails to appear, steps will be taken for cancellation of his licence.

Learned counsel for the petitioner has referred to Annexure-5 to the writ petition, particularly the observation recorded in Annexure-5 i.e. **“Pursuant to the order of the Hon’ble Supreme Court pending finalization of the seniority list, the licenced saw mills are not to be closed. Except the units involved in forest offences and other misconduct”** On this plea, it has been argued that the licencing authority is not authorized to issue notice. He submits that by way of issuance of notice virtually threatening is being given for cancellation of his licence.

On perusal of Annexure- 4 to the writ petition, the Court is satisfied that there is no threatening for cancellation of his licence, but notice has been issued to come along with relevant original documents regarding ownership. It has been indicated that if he fails to appear, steps shall be taken in accordance with law for cancellation of the licence. It does not mean that there is any threatening for cancellation of his licence.

In view of the fact that presently no adverse order has been passed against the order, no writ can lie. The writ petition stands dismissed.

(Rakesh Kumar, J)

NKS/-

U			
---	--	--	--