

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2211 of 2015

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Rajendra Kumar, son of Late Ram Pyar Ram, resident of Mohalla-Shivganj, P.O & Police Station - Dehri, District - Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Conservator of Forest, Bihar, Patna.
3. The Principal Secretary, Forest Department, Government of Bihar , Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The Divisional Forest Officer, Rohtas at Sasaram.
6. The District Forest Officer, Rohtas at Sasaram.
7. The Ranger Officer, Sasaram Forest Area, Rohtas at Sasaram.
8. The Ranger, Darigaon Forest Area, Sasaram, East Range, Rohtas at Sasaram.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.2952 of 2015

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Brij Kishore Singh @ Braj Kishore Singh, son of Harbansh Singh, resident of Village - Bansa, Police Station - Sasaram (Mufassil), District - Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Conservator of Forest, Bihar, Patna.
3. The Principal Secretary, Forest Department, Government of Bihar, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The Divisional Forest Officer, Rohtas at Sasaram.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.3605 of 2015

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Krishna Kumar Sharma, @ Krishna Thakur, son of Surya Narayan Sharma, resident of Village- Jamuhar, Police Station - Dehri, District- Rohtas at Sasaram (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Forest Department, Government of Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The Divisional Forest Officer, Rohtas at Sasaram.

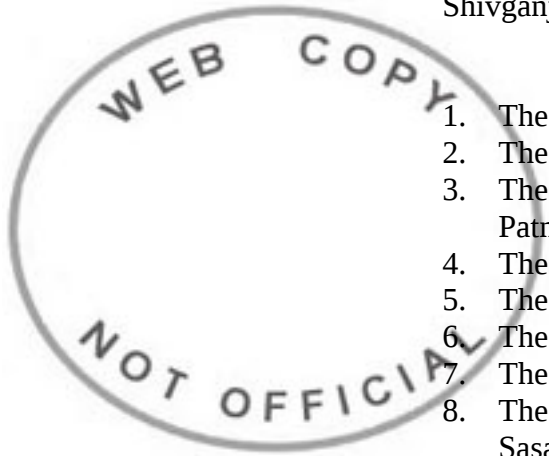
.... Respondent/s

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Appearance :

(In CWJC No.2211 of 2015)

For the Petitioner/s : Mr. Vipin Kumar Singh



For the Respondent/s : Mr. Arvind Kumar No. 1, SC13
(In CWJC No.2952 of 2015)

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Respondent/s : Mr. U.S.S.Singh, GP-1

(In CWJC No.3605 of 2015)

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Respondent/s : Mr. N.K. Singh, GP-26

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 06-05-2015

Learned counsel for the parties are present.

Since the matter in issue in these writ petitions is the same hence they have been taken up together for analogous hearing and disposal with the consent of the parties.

The limited relief prayed by the petitioners in these writ petitions is for a direction to the appellate authority under the Indian Forest Act, 1927, who in the present matters would be the District Magistrate, Rohtas at Sasaram, for expeditious disposal of the appeal filed on behalf of the petitioners. While praying as such the petitioners have also prayed for provisional release of their vehicles pending adjudication of their appeals.

In each of these writ petitions, the confiscation proceedings have been decided against the petitioners and the appeals are pending.

The grievance of the petitioners is that the appeals are pending before the appellate authority and there being no sign of its expeditious disposal, the vehicles which are subject matter of the appellate proceedings would be rendered obsolete

since they are kept under open sky and thus subjected to the vagaries of weather as well as wear and tear.

The individual details of the petitioner in each of the writ petitions are given hereinbelow:

(1) CWJC No. 2211 of 2015:

The petitioner in this case has preferred Forest (Confiscation) Appeal No.70 of 2014 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer -cum- Authorized Officer, Rohtas at Sasaram in Confiscation Case No. 90 of 2013 arising from Dehri Town P.S. Case No.434 of 2013.

(2) CWJC No. 2952 of 2015:

The petitioner in this case has preferred Forest Confiscation Appeal No.92 of 2014 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer -cum- Authorized Officer, Rohtas at Sasaram in Confiscation Case No.35 of 2012(M) arising from Sasaram (Muffasil) P.S. Case No.761 of 2012.

(3) CWJC No. 3605 of 2015:

The petitioner in this case has preferred Forest Confiscation Appeal No.23 of 2014 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer -cum- Authorized Officer, Rohtas at Sasaram in

Confiscation Case No.24 of 2013 arising from Dehri (Indrapuri) P.S. Case No.557 of 2012.

Having heard learned counsel for the parties and taking into consideration the limited prayer made by each of the petitioners, these writ petitions are disposed of with the direction to the District Magistrate, Rohtas at Sasaram -cum- Appellate Authority under the Indian Forest Act, 1927 to consider and dispose of the appeals of the petitioners in accordance with law and after giving opportunity of hearing to the contesting parties, expeditiously and preferably within three months from the date of receipt/production of a copy of the order. In case for any reason the appeal is not disposed of within the period stipulated hereinabove, the appellate authority would consider the prayer of the petitioners for provisional release of their respective vehicles in question and dispose of the same within one month thereafter in accordance with law.

With the observations/directions aforementioned, these writ petitions are accordingly disposed of.

(Jyoti Saran, J)

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