

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.939 of 2015

In

Civil Writ Jurisdiction Case No. 21483 of 2014

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1. Subodh Kumar, son of Sri Ram Prasad Sah, Resident of Village- Amara,
P.S.- Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest And Environment, Bihar, Patna namely Vivek Singh.
2. The Superintendent of Police, Rohtas at Sasaram namely Sheodeep Lande.
3. The Divisional Forest Officer-cum-Authorized Officer, Rohtas, Forest Division, Rohtas at Sasaram namely Dr. S. Kumarasamy.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Geeta Kumari, GP-28

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

4 24-06-2015 This application has been filed praying to draw a proceeding against the Divisional Forest Officer, Rohtas at Sasaram for non compliance of the judgment and order of this Court passed in C.W.J.C. No. 21483 of 2014 and analogous cases.

It was the complaint of the petitioner that despite the order of release passed by this Court it was not being complied.

Pursuant to the order a show cause has been filed and in show cause reply it has been stated that although the order of this Court was passed on 22.12.2014 but the same was produced on 29.12.2014 by the petitioner and prior thereto the order of

confiscation had already been passed in Confiscation Case No. 97 of 2014 initiated against the petitioner on 22.12.2014 and it is on this account that the release did not take place. Although it is contended by Mr. Sanjay Kumar Tiwari, learned counsel for petitioner that the disposal of the confiscation case is by an ante dated order but in absence of any material to confirm such allegation this Court would not enter into such issues. Suffice it to say that since the order of confiscation has already been passed against the petitioner, he would be well advised to question the same before the appellate authority and which shall be considered on its own merits and disposed of in accordance with law.

With the observations aforementioned this contempt application is disposed of.

(Jyoti Saran, J)

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