

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11123 of 2015

=====

Jai Ram Singh son of Ramayan Singh, resident of village – Mejari Bazar,
Nawadih, Police Station – Nokha, District – Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Forest and Environment, Bihar, Patna.
2. The District Magistrate-cum-Appellate Authority, Rohtas at Sasaram.
3. The Divisional Forest Officer-cum-Authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Respondent/s : AC to SC - 13

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 18-08-2015 Heard Sri Sanjay Kumar Tiwary, learned counsel for
the petitioner and learned A.C. to Standing Counsel – 13.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has made a very limited prayer for directing the District Magistrate-cum-Appellate Authority, Rohtas to dispose of Forest Appeal No. 26 of 2015.

It was submitted by learned counsel for the petitioner that his truck, bearing registration no. J.H.02J-5903 was seized on an allegation of commission of forest offence. Subsequently, confiscation proceeding was initiated and the seized vehicle was confiscated and thereafter, the petitioner preferred an appeal. He submits that after the seizure, the truck in question is lying in open sky and there is every possibility of decay of the truck.

In view of limited prayer made by learned counsel for the petitioner as well as keeping in view the fact that the vehicle has been confiscated, the Court is of the opinion that writ petition can be disposed of even without calling for counter affidavit.

Accordingly, the writ petition stands disposed of with an observation that respondent no. 2/District Magistrate –cum-Appellate Authority, Rohtas may take appropriate step so that the appeal i.e. Forest Appeal No. 26 of 2015 may finally be disposed of preferably within a period of five months from the date of receipt/production of a copy of this order.

(Rakesh Kumar, J.)

Anay

U			
---	--	--	--