

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17093 of 2014

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M/s Sinha Timber Merchant, Nayatola, Kumharar, P.S. Agam Kuan,
District - Patna, a Proprietorship Firm through its Power of Attorney Holder
Sarita Jaiswal wife of SRi Ajay Kumar Jaiswal resident of Mohalla -
Nandgola Patna Ghat, P.S. Malsalami, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Environment AND Forest
Department, Government of Bihar, Patna
2. The Principal Chief Conservator of Forest, Government of Bihar, Patna
3. The Licencing Officer - cum - Divisional Forest Officer, Patna Forest
Division, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 10-08-2015 Heard learned counsel for the petitioner and learned AC
to AAG No. 15.

In the present writ petition the petitioner has made a
prayer for directing the respondent no. 3 i.e. the Licensing
Officer- cum- Divisional Forest Officer, Patna Forest Division,
Patna to grant him permission to transfer / change the location of
his saw mill from the old land to a new place. It has been stated
that petitioner had filed an application vide Annexure - "1" to the
writ petition wherein, it has been indicated that since the land
over which presently his saw mill is functioning in the name and
style of M/s Sinha Timber Merchant, the land owner is

proposing to construct a building, and as such, a request was made for granting permission to shift his saw mill to other place.

Learned counsel for the petitioner has placed reliance on Annexure - “4” to the present writ petition i.e. an order passed in almost identical case on 18.12.2013 passed in CWJC No. 21719 of 2013.

The court is of the opinion that without asking for counter affidavit the writ petition can be disposed of with an observation that the respondent no. 3 may take final decision in accordance with law on the application of the petitioner i.e. Annexure – “1” to the writ petition preferably within a period of four weeks from the date of receipt / production of a copy of this order. The petitioner may produce this order along with the present writ petition before the respondent no. 3 i.e. the Licensing Officer –cum- Divisional Forest Officer, Patna Forest Division, Patna.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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