

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.249 of 2015

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Saryu Prasad, son of Sri Jawahir Mahto, resident of Village- Ajnama, P.S.-
Mohanpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Forest and Environment, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Gaya.
3. The Divisional Forest Officer, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Respondent/s : Mr. Shailesh Kumar, AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 12-02-2015

Learned counsel for the parties are present.

The limited grievance of the petitioner is that the Confiscation Appeal No.4 of 2014 filed by the petitioner under the provisions of the Indian Forest Act, 1927 remains pending before the appellate authority i.e. the District Magistrate, Gaya. He prays for expeditious disposal of the appeal inasmuch as it relates to confiscation of goods as well as vehicles which is Mahindra Bolero Maxi Truck bearing Registration No.BR-02-4423.

Having heard learned counsel for the parties and taking note of the nature of grievance as well as the fact that keeping any perishable goods or vehicles in seized condition for a long period would render it useless and would only be resulting



in loss, the writ petition is disposed of with a direction to the District Magistrate, Gaya to consider and dispose of the Confiscation Appeal No.4 of 2014 in accordance with law and after giving an opportunity of hearing to the petitioner expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this order and in case the District Magistrate for any reason is not able to dispose of the appeal within the period stipulated above he should consider the prayer of the petitioner for provisional release of the vehicle on such terms and conditions and subject to furnishing of such guarantee as deem fit and proper by the appellate authority but which would neither be in the form of cash nor a Bank guarantee.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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