

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4715 of 2015

=====

1. Jamaluddin Khan s/o Late Abdul Mazid Resident of Village - Chhota Bariyarpur,
Police Station - Chhautani, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar represented through the Principal Secretary, Department of Industry, Government of Bihar, Patna.
2. The Principal Chief Conservator of Forest, Department of Forest, Govt. of Bihar, Patna.
3. The Divisional Forest Officer, Motihari Forest Division, Motihari.
4. The Member Secretary, Central Empowered Committee, 2nd Floor, Chanakya Bhawan, Chankyapuri, New Delhi- 110021
5. The General Manager, District Industry Centre, East Champaran.
6. The Chairman, Bihar State Pollution Control Board, Patna.
7. The Block Co-operative Officer, Karagahar, Rohtas, Sasaram
8. Satyanarayan Singh, son of Late Sudarshan Singh, Chairman, Badahari, PACS, Karagahar, Rohtas, resident of village- Rehari, P.O.- Badahari, P.S.- Karagahar, Distt. Rohtas at Sasaram.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Respondent/s : Mr. AAG4- J.P. KARN, Sr. Advocate
Mr. S.D.Sanjay(ASSG), Sr. Advocate
Mr. Shivendra Kishore, Sr. Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 22-07-2015

Heard the Counsel for the petitioner and the Counsel for the
Central Government in presence of Mr. J.P. Karn and Mr. Shivendra
Kishore, learned advocates.

The present writ petition has been filed for a direction upon the
respondents, particularly, respondent no. 4 to grant the No-Objection
Certificate/licence to establish industry to manufacture kattha from
khair wood. Indisputably, the matter which concerns the petitioner is
being monitored by the Hon'ble Supreme Court and a committee



called Central Empowered Committee (respondent no. 4) has been constituted to oversee such matter. It is the case of the petitioner, which has not been disputed by the Counsel for the respondent Union of India that such No-Objection Certificate/licence shall be granted by the Central Empowered Committee. The matter at the instance of the petitioner is pending before the said Committee as is evident from Annexure-7 which is an application filed by the petitioner before the Committee. It further appears from Annexures-10 and 11 that the matter has already been taken up by the Committee with the Forest Department of the Government. The delay in granting No-Objection Certificate/licence has propelled the petitioner to file the present writ petition with the aforesaid relief.

This Court granted the indulgence to the Union of India to file counter affidavit which, however, has not been filed.

Learned counsel for the respondent Union of India on going through the pleadings in the writ petition has submitted that if the matter is pending before the said Committee which has not, till date, been disposed of then this Court may direct the Respondent no. 4 to consider the case of the petitioner including the representation which was filed by the petitioner and dispose of the same in accordance with law within a time frame.

Counsel for the petitioner, appreciating the said stand of the

respondent Union of India has agreed for disposal of the matter.

Consequently, the writ application is disposed of by the following order:-

Let the Respondent no. 4 (Member Secretary, Central Empowered Committee) decide on the claim of the petitioner for grant of No-Objection Certificate/licence for establishing kattha factory in the State of Bihar in accordance with law, if not already decided, as quickly as possible preferably within six weeks from the date of receipt/communication of a copy of this order.

(Kishore Kumar Mandal, J)

Pankaj/-

U			
---	--	--	--