

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11411 of 2016

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Dhananjay Kumar son of Sri Arjun Yadav resident of village - Vishrampur
Tola Fatehpur, P.O. - Malhari, Police Station - Imamganj, District - Gaya.
..... Petitioner

Versus

1. The State of Bihar through the Secretary, Forest Department,
Government of Bihar, Patna.
2. The District Magistrate cum Collector, Gaya.
3. The Divisional Forest Officer, Gaya Forest Division, Gaya.
4. The District Forest Officer, Gaya.
5. The Forestor, Imamganj, District - Gaya.

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Respondent/s : Mr. Awanish Nandan Sinha. GP11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 11-11-2016 Learned counsel for the petitioner and the learned counsel
for the State are present and have been heard in this case.

The grievance of the petitioner in this writ petition is, that while the confiscation proceeding drawn against him has remained pending with the Authorized Officer cum Divisional Forest Officer, the vehicle so seized in the proceeding is facing vagaries of the weather and is liable to turn obsolete. The prayer of the petitioner in this writ petition is for appropriate direction to the Authorized Officer cum Divisional Forest Officer, Gaya to consider the prayer of the petitioner for provisional release of the seized vehicle pending disposal of the confiscation proceeding.

Having heard the learned counsel for the parties and



considering the nature of relief prayed in the present writ petition, I deem it fit and proper to dispose of this writ petition with a direction to the Authorized Officer cum Divisional Forest Officer, Gaya to consider the grievance of the petitioner herein and take appropriate steps to finally dispose of the confiscation proceeding drawn against him in accordance with law and after 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. In case the Authorized Officer cum Divisional Forest Officer, Gaya is not able to dispose of the confiscation proceeding within the period stipulated, for reasons not attributable to the petitioner, then he shall consider the prayer of the petitioner for provisional release of the vehicle in question, which is subject matter of the confiscation proceeding and dispose of the same within a maximum period of four weeks thereafter bearing in mind the law laid down by the Apex Court as well as this Court in connection with provisional release of seized vehicle.

With the aforementioned observation and direction, this writ application is disposed of.

(Jyoti Saran, J)

Surendra/-

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