

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.550 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 12604 of 2014
Along with
Interlocutory Application No.2416 of 2015

- =====
1. The State of Bihar
 2. The District Magistrate, Rohtas at Sasaram.
 3. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Sasaram, Rohtas.

.... Appellant/s

Versus

Jokhan Singh, son of Late Bhikhan Singh, Resident of Village and P.O. - Karwandiya, P.S. - Sasaram (M) District- Rohtas.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. D. K. Sinha, A.A.G.-2
Mr. Abhinay Raj, Advocate
For the Respondent/s : None

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 23-06-2016

Re.: Interlocutory Application No.2416 of 2015

The application is for condonation of delay of 147 days in filing of the present Letters Patent Appeal.

For the reasons mentioned in the application, we find that sufficient cause is made out for condonation of delay. Consequently, we condone the delay in filing of the present Letters Patent Appeal.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No.550 of 2015

The challenge in the present Letters Patent Appeal is to

an order dated 20th of August, 2014 passed in CWJC No.12604 of 2014 and other analogous cases. Vide the order under appeal, the Vehicle No.MP-19H/0220 seized on the allegations of transporting forest produce without any supportive papers was ordered to be released on furnishing of such security as deem fit and proper by the Divisional Forest Officer-cum-Authorized Officer subject to final outcome of the confiscation proceedings.

We find that the order passed is equitable and in the interest of justice so as to not deprive the owner of the vehicle from the use of the same pending finalization of the confiscation proceedings.

We do not find that such order of temporary release of vehicle suffers from any patent illegality or irregularity which may warrant interference in the present Letters Patent Appeal. The same is, therefore, dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	N. A.
Uploading Date	28.06.2016
Transmission Date	