

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.86 of 2016

In

Civil Writ Jurisdiction Case No. 17139 of 2011

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1. M/s Pandey Saw Mill through its Proprietor Ajit Kumar Pandey, son of Ramashray Pandey (wrongly typed as Late Ram Nadan Pandey) Resident of Village - Bhatgama, P.S. - Dalsinghsarai, District - Samastipur

.... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Environment and Forest, Government of Bihar, Patna
3. The Principal Chief Conservator of Forest, Government of Bihar, Patna
4. The District Forest Officer, Purnia Circle, District- Purnea
5. The Divisional Forest Officer-cum-The Licensing Authority, Begusarai, District- Begusarai
6. The Range Officer, Forest Department, Samastipur, District- Samastipur

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Md.Imteyaz Ahmad, Advocate

For the Respondent/s : Mr. N. Hoda Khan, SC,I

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-09-2016 I.A.No. 295 of 2016 has been filed by the appellant, under Section 5 of the Limitation Act, seeking condonation of delay of 37 days in preferring the present Letters Patent Appeal against the order, dated 03.08.2015 passed in C.W.J.C.No. 17139 of 2011.

Heard Mr. Ajay Kumar Thakur, learned Counsel for the appellant, and Mr. N.H.Khan, learned Standing Counsel No. I, appearing for the respondents.

Having considered the reasons assigned in the present petition seeking condonation of delay, in preferring appeal, and having heard the learned counsel for the parties, this Court is satisfied that the appellant was prevented by sufficient causes from preferring the appeal within time.

In view of the above, the delay of 37 days, in preferring the Letters Patent Appeal, is hereby condoned.

I.A.No. 295 of 2016 shall stand disposed of.

L.P.A.No. 86 of 2016:

This Letters Patent Appeal has been preferred against the order, dated 03.08.2015, passed in C.W.J.C.No. 17139 of 2011, which reads as follows:-

“Heard Sri Arun Kumar No.1, learned counsel for the petitioner and learned AC to SC No.18.

The writ petition stands dismissed.”

Having regard to the fact that the order, dated 03.08.2015, which stands impugned in this appeal, does not assign

any reason for dismissing the writ petition, the order, dated 03.08.2015, aforementioned is hereby set aside and the writ petition is remanded for disposal in accordance with law after hearing the parties.

This appeal is accordingly disposed of.

Let the writ petition (C.W.J.C.No. 17139 of 2011) be listed before appropriate Bench as per the present roster.

(I.A. Ansari,CJ)

(Chakradhari Sharan Singh, J)

A.I./-

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