

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19080 of 2015

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Satish Kumar Singh, S/o Ramaugrah Singh, Resident of Village- Gobardhanpur, P.O. Gangauli, P.S. Akorhi Gola (Dehri-on-Sone), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Forest Department, Government of Bihar.
2. The Chief Conservator of Forest, Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram.
4. The Asauthorized Officer -cum-Divisional Forest Officer, Rohtas, Sasaram
5. The District Forest Officer, Rohtas, Sasaram.
6. The Range Officer, Sasaram Forest Area at Sasaram.
7. The Forester, Bikramganj Forest Circle, District Rohtas at Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brij Mohan Kumar Singh

For the Respondent/s : Mr. Ajit Pratap Singh, SC-15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 16-09-2016

Learned counsel for the parties are present.

The limited relief prayed by the petitioner in this writ petitions is for a direction to the Appellate Authority under the Indian Forest Act, 1927, who in the present matter would be the District Magistrate, Rohtas at Sasaram, for expeditious disposal of the appeal filed on behalf of the petitioner. While praying as such the petitioner has also prayed for provisional release of his vehicles pending adjudication of his appeal.

In this writ petition, the confiscation proceedings have been decided against the petitioner and the appeal is pending.

The grievance of the petitioner is that while there is no sign of expeditious disposal of his appeal, the vehicle which is subject matter of the appellate proceedings would be rendered obsolete since the same is kept under open sky and thus subjected to the vagaries of weather as well

as wear and tear.

The petitioner in this case has preferred Forest Confiscation Appeal No.28 of 2015 being aggrieved by the order of the confiscation passed by the Divisional Forest Officer -cum- Authorized Officer, Rohtas at Sasaram in Confiscation Case No. 83 of 2013 arising from Bikramganj P.S. Case No.145 of 2013.

Having heard learned counsel for the parties and taking into consideration the limited prayer made by the petitioner, this writ petition is disposed of with the direction to the District Magistrate, Rohtas at Sasaram -cum- Appellate Authority under the Indian Forest Act, 1927 to consider and dispose of the appeal of the petitioner in accordance with law and after giving opportunity of hearing to the contesting parties, expeditiously and preferably within three months from the date of receipt/production of a copy of the order. In case for any reason the appeal is not disposed of within the period stipulated hereinabove, the Appellate Authority would consider the prayer of the petitioner for provisional release of his vehicle in question and dispose of the same within one month thereafter in accordance with law.

With the observations/directions aforementioned, this writ petition is accordingly disposed of.

(Jyoti Saran, J)

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AFR/NAFR	NAFR
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