

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13248 of 2015

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Ritesh Kumar Patel S/o - Mithilesh Chaudhary R/o - Village - Darekhop,
P.S. - Nasriganj, District - Rohtas.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary Forest Department Government of Bihar, Patna.
2. The Chief Conservator of Forest Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram.
4. The Authorized Officer Cum Divisional Forest Officer Rohtas, Sasaram.
5. The District Forest Officer, Rohtas, Sasaram.
6. The Range Officer Sasaram Forest Ara at Sasaram.
7. The Forestor Tilauthu Cum Darigaon, Forest Circle, District - Rohtas.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh

For the Respondent/s : Mr. Madhuresh Prasad

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

5 25-11-2016 Heard learned counsel for the parties.

This writ petition has been filed praying for a direction to the Authorized Officer cum Divisional Forest Officer, Rohtas at Sasaram for provisional release of the vehicle of the petitioner, bearing registration No. UP50F/2052, which has been seized in connection with Confiscation Case No. 148/2015 arising from Forest Case No. 69/2015, inter alia, on the ground that the vehicle was loaded with illegally mined forest produce.

Although in this case a counter affidavit is filed and though the matter is taken up after a year of its filing, but the parties have no information regarding outcome of the confiscation case.

In the circumstances, this Court deems it fit and proper to direct the Authorized Officer cum Divisional Forest Officer, Rohtas at Sasaram to consider and dispose of the confiscation proceeding in accordance with law expeditiously and preferably within three months from the date of receipt/ production of a copy of this order in case the confiscation case is not already disposed of.

In case the confiscation case is pending and is not disposed of within the time stipulated above, then the prayer of the petitioner for provisional release of the vehicle be considered and disposed of accordingly within four weeks thereafter bearing in mind the law settled on the issue.

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

(Jyoti Saran, J)

Surendra/-

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