

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9080 of 2017

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Madhuri Devi, Wife of Sri Kamlesh Kumar, Resident of Village- Badki
Paipura Kala, P.S. Paliganj, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Environment & Forest Department Government of Bihar, Patna.
2. The Conservator of Forest, Wildlife Circle, Patna.
3. The District Magistrate -cum- Appellate Authority, Rohtas at Sasaram.
4. The Authorised Officer -cum- Divisional Forest Officer, Rohtas Forest Division, Sasaram.
5. The Forester, Tilauthu, Distt.-Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Adv.

For the Respondent/s : Mr. Dhurjati Kr. Pd., GP-14

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 10-11-2017

Heard the parties.

The petitioner is aggrieved because his Confiscation Appeal No.44 of 2016 remains pending before the District Magistrate –cum- Appellate Authority, Rohtas at Sasaram. It is also the grievance of the petitioner that by virtue of pendency of appeal the condition of the truck seized is deteriorating day to day.

In the circumstances noted, I deem it proper to dispose of the writ petition with a direction to the District Magistrate –cum- Appellate Authority, Rohtas at Sasaram to consider and dispose of the petitioner's appeal bearing Confiscation Appeal No.44 of 2016 in accordance with law



and with opportunity of hearing to the petitioner expeditiously and preferably within three months from the date of receipt/production of a copy of this order and in case for any reason not attributable to the petitioner the appeal is not disposed of, the District Magistrate –cum- Appellate Authority, Rohtas at Sasaram shall consider the prayer of the petitioner for provisional release of the truck subject to such security as deem fit and proper within six weeks of the expiry of the stipulated period of three months.

(Jyoti Saran, J)

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