

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9670 of 2014

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Brahmdeo Prasad, S/o Late Babu Lal Prasad, M/s Kushwaha Saw Mill, Village-
Maheji, P.S- Majhural Haque Nagar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar, Patna.
2. The Principal Chief Conservator of Forest, Bihar, Patna.
3. The Regional Chief Conservator of Forest, Muzaffarpur.
4. The Prescribed Authority cum Conservator of Forest, Siwan Circle, Siwan.
5. The Licensing Authority cum Divisional Forest Officer, Siwan, now shifted at Gopalganj.
6. The Range Officer, Department of Forest, (Maharajganj), Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Adv.

For the Respondent/s : Mr. Manisha Singh AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 13-10-2017

Heard the parties.

The licence of the petitioner was cancelled vide order bearing Memo No.2432 dated 26.12.1997 impugned at Annexure 3 and without questioning the same before any forum that the petitioner has chosen to come before this Court after a lapse of almost 17 years by taking refuge to the seniority list prepared for the district of Siwan in the year 2010 and to plead for inclusion of his name therein.

Although Mr. Manoj Kumar Manoj, learned counsel appearing for the petitioner endeavours to submit that the petitioner was operating the saw mill despite the order of cancellation but an



illegal operation of the saw mill would bestow no right on the petitioner either for restoration thereof or for inclusion in the seniority list.

Undisputedly the order of cancellation of licence dated 26.12.1997 impugned at Annexure 3 was never questioned by the petitioner either before the statutory authority or before this Court until filing of the writ petition after a lapse of almost 17 years with no explanation for the delay except that the petitioner was illegally operating the saw mill all this while. Neither the delay nor the conduct of the petitioner does persuade this Court to grant indulgence.

The writ petition is dismissed.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
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