

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16105 of 2016

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1. Sunil Kumar Singh son of Sri Jai Prakash Singh resident of Mohalla - Ram Mandir Colony, Obera, P.O. + P.S. Sonbhadra (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Forest and Environment, Bihar, Patna.
2. The District Magistrate-cum-Appellate Authority, Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas at Dehri-On-Sone.
4. The Divisional Forest Officer-cum-Authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Respondent/s : Mr. Chitranjan Sinha, PAAG2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 03-02-2017

Learned counsel for the parties are present.

The limited relief prayed by the petitioner in this writ petition is for a direction to the Revisional Authority under the Indian Forest Act, 1927, who in the present matter would be the Principal Secretary, Department of Forest and Environment, Bihar, Patna for expeditious disposal of the revision filed on behalf of the petitioner. The petitioner has also prayed for provisional release of his vehicle pending adjudication of his revision.

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

The grievance of the petitioner is that the vehicle which is subject matter of the revision 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 Revision No. 1 of 2016



arising from Forest Appeal No. 37 of 2014 being aggrieved by the order of confiscation passed by the Divisional Forest Officer -cum- Authorized Officer, Rohtas at Sasaram in Confiscation Case No. 18 of 2014.

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 Principal Secretary, Department of Forest and Environment, Bihar, Patna to consider and dispose of the revision 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 revision is not disposed of within the period stipulated hereinabove, the Revisional 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)

Bibhash

NAFR	NAFR
CAV DATE	NA
Uploading Date	11.02.2017
Transmission Date	NA

