

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2595 of 2016

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1. M/s Sharma Saw Mills & Furniture Works, Diliwarpur Kaler, P.S. Kaler, District - Arwal a Partnership Firm through tis Partner Rajeshwar Sharma, Son of Sri Sheodeni Singh, Resident of Mohalla - P.G. Road, Jehanabad, P.S. - Jehanabad, District - Jehanabad.
 2. Mukesh Kumar Singh, Son of Late Ram Niranjana Singh, Resident of Village - Belarhi, P.S. - Daudnagar, District - Aurangabad, a partner of M/s Sharma Saw Mills & Furniture Works, Diliwarpur Kaler, P.S. Kaler, District - Arwal.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Environment & Forest Department, Government of Bihar, Patna.
2. The Principal Chief Conservator of Forest, Bihar, 4th Floor, Technology Bhawan, Bailey Road, Patna.
3. The Conservator of Forest, Gaya Circle, Gaya.
4. The Licensing Officer - cum - Divisional Forest Officer, Aurangabad Forest Division, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Adv.
For the Respondent/s : Mr. Abbas Haider, SC-16

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-07-2017 Heard Mr. Vinay Mistry, learned Counsel appearing on behalf of the petitioners and Mr. Abbas Haider, learned AC to SC-16, appearing on behalf of respondent State.

The present writ application has been filed for



quashing of the order dated 20.11.2015, contained in Memo No.50, issued by the Licensing Officer-cum-Divisional Forest Officer, Aurangabad Forest Division, Aurangabad, as contained in Annexure-12, whereby, License No.45 of 1997 of the petitioner has been cancelled, in exercise of power under Section 7(5) of the Bihar Saw Mills (Regulation) Act, 1990, as well as in terms of Letter No. 3673, dated 22.10.2013, issued by the Department of Environment and Forest, Government of Bihar, Patna, as contained in Annexure-9. Further prayer has also been made for directing the Respondent No. 3 to accept the application for renewal of the license and to renew the license till such time the matter is finally decided by the State Government and approved by the Central Empowered Committee in terms of Letter No.1601, dated 26.03.2015, as contained in Annexure -10 and letter no. 2345, dated 30.06.2015, as contained in Annexure-11, issued by the Principal Chief Conservator of Forest, Bihar, Patna.

Learned Counsel appearing on behalf of the petitioners, at present, prays for disposal of the writ application with a liberty to avail the alternative remedy of appeal.

In the circumstances, in view of the confined prayer of the petitioners, the writ application is disposed of.

It is expected from the Appellate Authority that if



any appeal is filed along with an application for condonation of delay, the same may be considered in view of the fact that the petitioner was pursuing his remedy before this Court since 2016.

(Dinesh Kumar Singh, J)

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