

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3789 of 2017

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Ramdhani Singh S/o Late Ghura Singh, Resident of Village-Bhanpur, P.S.-
Karghar, District-Rohtas.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department, of Forest and Environment, Bihar, Patna.
2. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Rohtas.at Sasaram.
3. The Forester Darigaon, Rohtas.

.... Respondents

with

Civil Writ Jurisdiction Case No.6579 of 2017

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Dharmendra Kumar Son of Surendra Kumar Singh, Resident of Village-
Muzaffarpur, Police-Sahar, District-Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Forest and Environment Bihar, Patna.
2. The Divisional Forest Officer-cum-authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.
3. The Forester Tilauthu, Rohtas.

.... Respondents

with

Civil Writ Jurisdiction Case No.6590 of 2017

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Dharmendra Kumar Son of Surendra kumar Singh Resident of Village-
Muzaffarpur, Police Station-Sahar, District-Bhojpur.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department, of Forest and Environment, Bihar, Patna.
2. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Rohtas at Sasaram,
3. The Forester Tilauthu, Rohtas.

.... Respondents

with

Civil Writ Jurisdiction Case No.6619 of 2017

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Dharmendra Kumar, son of Surendra Kumar Singh, resident of Village-
Muzaffarpur, Police Station- Sahar, District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar, Patna.
2. The Divisional Forest Officer-cum-Authorized Officer, Rohtas, Forest



Division, Rohtas at Sasaram.

3. The Forester Tilauthu, Rohtas.

.... Respondents

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with

Civil Writ Jurisdiction Case No.17173 of 2017

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Pradeep Gupta, Son of Radhay Shyam Gupta, Resident of Village-Bagahi Kumbhapur, P.S. Saiyadraja District-Chandauli (U.P.).

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Environment & Forest Department, Government of Bihar, Patna.

2. The Conservator of Forest, Gaya Circle, Gaya.

3. The Divisional Forest Officer, gaya Forest Division, Gaya.

4. The Forester, Bhalua (Barachatti), District-gaya.

.... Respondents

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Appearance :

(In CWJC No.3789 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Lokesh Kr. Singh, AC to AAG13

(In CWJC No.6579 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Dhurjati Kr. Prasad, GP14

(In CWJC No.6590 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Gajendra Pd.Yadav, SC17

(In CWJC No.6619 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Anant Pd.Singh, SC15

(In CWJC No.17173 of 2017)

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

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP14

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

2 15-12-2017

Heard learned counsel for the parties.

In each of these cases confiscation cases instituted against the petitioners under the Indian Forest Act, 1927 are pending. The complaint of the petitioners is that delayed disposal of the confiscation case is acting adverse to the condition of the vehicle, which is rotting by the day lying under open sky.



Learned counsel for the petitioners have submitted that though the petitioners have filed application for provisional release before the Authorized Officer cum Divisional Forest Officer concerned but neither the confiscation case has been disposed of nor the petition for provisional release and hence, these writ petitions.

Having heard learned counsel for the parties and considering that the confiscation case remains pending before the Authorized Officer cum Divisional Forest Officer concerned together with the petition for provisional release, I deem it proper to dispose of all these writ petitions with a direction to the Authorized Officer cum Divisional Forest Officer concerned to consider and dispose of the confiscation case instituted against the respective petitioner in accordance with law within a period of three months from the date of receipt/ production of a copy of this order and in case he is unable to dispose of the confiscation case for reasons not attributable to these petitioners, then he should consider the application filed by these petitioners for provisional release of their vehicle and dispose of the same in accordance with law preferably within a period of four weeks of expiry of the period stipulated above, on such terms and conditions and on furnishing of such security as deem fit and proper but which shall



not be in form of cash or bank guarantee.

All these writ petitions are disposed of accordingly with
the observations/ directions above.

(Jyoti Saran, J)

Surendra/-

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