

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7367 of 2018

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1. M/s Bhushan Caste Vastu Nirman Udyog, Hasan Bazar, P.S. Piro, District- Bhojpur a proprietorship firm through its proprietor Shashi Bhusan Singh, Son of Late Raj Ballabh Prasad, resident of Village-Amai, P.S.-Piro, District- Bhojpur.

2. M/s Vishwakarma Saw Mill, Isharhi Bazar, P.S.- Jagdishpur, District- Bhojpur a proprietorship firm through its proprietor Suresh Sharma, Son of Late Budhan Sharma, resident of village-Isharhi Kitapur, P.S. Jagdishpur, District- Bhojpur.

.... Petitioners

Versus

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

2. The Principal Chief Conservator of Forest-cum-Chairman of State Level Committee for Wood-based Industries, Bihar, Patna.

3. The Licensing Officer-cum-Divisional Forest Officer, Bhojpur Forest Division, Bhojpur.

.... Respondents

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Appearance :

For the Petitioners : Mr. Vinay Mistry, Advocate

For the Respondents : Mr. Gajendra Pd. Yadav, SC-17

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-05-2018

Heard learned counsel for the petitioner as well as learned counsel for the respondents.

2. The present writ petition has been filed for the following reliefs:-

“(i) For issuance of a writ in the nature of Mandamus directing the Respondent No. 2 Chairman of State Level Committee for Wood-based Industries, Bihar to dispose of the petition dated 23.01.2017 (Annexure-3) filed by the petitioners for grant of license under Bihar Saw Mills (Regulation) Act, 1990 in terms of the order dated 05.10.2015 passed by the Hon’ble Supreme Court in Writ Petition (Civil) No. 202 of 1995 as the



State of Bihar vide Memo No. 406 dated 03.12.2015 has already constituted State Level Committee under the Chairmanship of the Principal Chief Conservator of Forest, Bihar.

(ii) For issuance of such other writ(s), order(s), direction(s) as your Lordships may deem fit and proper.”

3. At the very outset, learned counsel for the petitioners submits that it will suffice if the petitioners’ representation dated 18.01.2017 (Annexure-P/3) filed before the Licensing officer-cum-Divisional Forest Officer, Bhojpur Forest Division, Bhojpur (Respondent No. 3) is directed to be disposed of, in which event, the present writ petition need not be pressed on merits.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of the grievances and the stand of the petitioners, the present writ petition is disposed of with a direction to the Licensing officer-cum-Divisional Forest Officer, Bhojpur Forest Division, Bhojpur (Respondent No. 3) to consider and dispose of the petitioners’ representation dated 18.01.2017 (Annexure-P/3), if the same is still pending before him, after grant of opportunity of hearing to the petitioners in accordance with law expeditiously and preferably within a period of eight weeks from the date of receipt/ production of a copy of this judgment



(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.05.2018
Transmission Date	N.A.

