

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15722 of 2014

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Madan Kumar Singh Son of Gupteshwar Singh Resident of Village + P.O. -
Kanchanpur, P.S. - Sasaram (Mufassil), District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Mines and Geology, Bihar,
Patna.
2. The Principal Secretary, Department of Forest, Bihar, Patna.
3. The District Magistrate, Rohtas.
4. The Divisional Forest Officer, Rohtas.
5. The Mining Officer-cum-Assistant Director, Mines & Geology, Rohtas at
Sasaram.
6. The Forest Range, Darigaon, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Ranjan Kumar Singh, AC to AAG-2
For Dep. Of Mines	:	Mr. Naresh Dikshit, Advocate with Mr. Brij Bihari Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 28-11-2018

Heard learned counsel for the petitioner and State.

2. The petitioner has moved the Court for the following
reliefs:



“That this is an application for issuance of appropriate writ/ writ(s) order(s), direction(s) for quashing the order dated 10.07.2014 passed in Forest Appeal No. 44/2013 by learned District Magistrate, Rohtas, as well as the order dated 13.05.2013 passed in Confiscation Case No. 41/2013, the appeal of the petitioner has been dismissed/ rejected and order dated 13.05.2013 by which about 20900 cft. Of Boulders, 10314 cft of Stone Chips and 35638 cft. Of stone chips has been confiscated by the learned court of Divisional Forest Officer, Rohtas and further for a direction to the respondent authorities to release the abovesaid stone mineral which has been stocked by the petitioner under a valid stone stockiest licence granted under Rule 7 of Bihar Mineral (Prevention of Illegal Mining, Transportation Storage) Rules, 2003, and further for any other relief(s) for which the petitioner may found entitled to.”

3. After some arguments, learned counsel for the petitioner submitted that the matter be disposed off with liberty to file statutory revision before the Principal Secretary of the Department of Forest, Government of Bihar, Patna.

4. Learned counsel for the State does not oppose.

5. In view thereof, the writ petition stands disposed off with liberty aforesaid.

6. Since the petitioner had moved this Court, though slightly belatedly, with reference to the period fixed for filing revision, but the same not being so great so as to defeat the cause, the Court feels that if he files a revision within a reasonable



period, the same should be heard on merits. Accordingly, if the petitioner prefers revision before the respondent no. 2 within three weeks from today, the same shall be heard and disposed off on merits preferably within six months from the date of filing of the revision, subject to the petitioner co-operating.

(Ahsanuddin Amanullah, J)

P. Kumar

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