

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.733 of 2018

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M/s Ram Binay Saw Mill, Baidrabad, P.S. Arwal, District- Arwal, a proprietorship firm through its proprietor Ram Binay Sharma son of Late Yadu Nandan Mistry, resident of Village- Baidrabad, P.S.- Arwal, District- Arwal.

.... Petitioner

Versus

1. The State of Bihar, through the Principal 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 Commissioner-cum Chairman, Selection Committee of Saw Mills, Gaya Division, Gaya.
4. The Conservator of Forest, Gaya Circle, Gaya.
5. The Divisional Forest Officer, Aurangabad Forest Division, Aurangabad.

.... Respondents

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Appearance :

For the Petitioner : Mr. Vinay Mistry, Advocate

For the Respondents : Mr. Chittranjan Sinha, Pr. AAG2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-02-2018

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

2. At the very outset, learned counsel for the petitioner states that the seniority list issued by the Selection Committee of Saw Mills is amenable to appeal, in view of the orders of this Court in CWJC No. 6394 of 2011 in the following terms :-

"5. The petitioners have got an alternative remedy and hence they should prefer appeals if they want to challenge the impugned decisions taken by the District Level Committees as has been provided in law. If such appeals are filed along with a copy of this order as well as interlocutory applications for condoning the delay, the



appellate authority shall consider the delay caused due to filing of these writ petitions and shall decide the said appeals on merits expeditiously preferably within a period of four months thereafter keeping in view the order of the Apex Court dated 30.01.2009 passed in WP(C) No. 460 of 2004 and other analogous cases as well as the decision dated 04.09.2009 passed in WP(C) No. 202 of 1995 and the steps taken by the Government in the light of the said decisions. If such appeals are filed as per the direction given above, the operation of the orders impugned in these writ petitions shall remain stayed till disposal of the concerned appeals.”

3. In the above view of the matter, this writ petition is disposed of in terms of the aforesaid order dated 03.05.2011 passed in CWJC No. 6394 of 2011.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
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