

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9280 of 2017

Ashok Kumar Dubey, Son of Sri Radhey Shyam Dubey, Proprietor of M/S Shyam Shankar Saw-Mill, Mubarakganj, P.S. Sasaram Town, District Rohtas, Resident of Village-Mahajan Toli, Ward No. 27, Sasaram, P.S. Sasaram Town, District Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Department of Forest, Government of Bihar, Patna.
2. Divisional Forest Officer Rohtas, Forest Division, Sasaram.
3. Forest Ranga Officer, Sasaram Range, District Rohtas
4. Sri Rama Shankar Rungata, Son of Late Murarilal Rungata, Resident of Mohalla Kazipura, Sasaram, P.S. Sasaram Town, District Rohtas

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 11-12-2018

Heard learned counsel for the petitioner and State.

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

“That this is an application for issuance of an appropriate writ or writs for setting aside the letter dated 27.04.2017 contained in memo no. 1457 issued by the Divisional Forest Officer, Rohtas, Forest Division, Sasaram by which he has refused to renew saw-mill license of the petitioner on the ground that rent of the site has not been paid to the landlord (respondent no. 4) and further he directed the Forest Range Officer to ensure that till the charge of place saw-mill should not been allowed to run and/or to grant any other relief/reliefs for which the petitioner is



legally entitled in the facts and circumstances of the case.”

3. Though the matter was heard for some time but before the Court could come to a final decision and pass order on merits, learned counsel for the petitioner, on the objection taken by learned counsel for the State that there exists an alternate statutory forum, submitted that he may be permitted to withdraw the writ application for moving before the statutory forum.

4. Having regard to the aforesaid, the writ petition stands disposed off with liberty to the petitioner to file an appeal in terms of Regulation 12 of the Bihar Saw Mills (Regulation) Act, 1990.

5. For securing the ends of justice and the fact that the petitioner had moved this Court, not too belatedly, let the Appellate Authority hear and dispose off the appeal of the petitioner, if it is filed within three weeks from today, on merits.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	

