

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3448 of 2017

In

LPA 2380 of 2016

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Anil Kumar Gupta @ Anil Kumar Son of Sri Manik Chand Gupta,
Residence at 140 Abhiyanta Nagar Bankers Colony, P.S.- Rupaspur,
District- Patna.

.... Petitioner

Versus

1. Sri Animesh Kumar Parashar District Magistrate, Rohtas At Sasaram.
2. S. Kumar Sami, District Forest Officer, Rohtas at Sasaram.
3. Sri Gopal Singh In-charge Conservator of Forest Rohtash at Sasaram Circle.
4. A.K. Verma Ranger, Darigaon Forest Precincts Rohtas at Sasaram.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Adv.

For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

5 11-09-2018 By filing a show cause Mr. Sakib Ayat, learned AC to AAG 13 informs that the order passed by this Court in L.P.A. No. 2380/2016 has been complied and the vehicle in question has been released in terms of the stipulations present in the order passed by this Court in L.P.A. No. 306/2017.

Mr. Diwakar Prasad Singh, learned Counsel for the petitioner does not controvert the position but complains that some parts of the vehicle are missing while it was in custody of the respondents.



In our opinion, since the Forest Appeal No. 24/2017 is still pending before the Collector, Rohtas, the petitioner shall be at liberty to raise all issues before the appellate authority for its consideration and since the petitioner complains that the theft of the vehicle parts has taken place while the vehicle was in custody of the respondents, it is an obligation on the part of the appellate authority to consider the grievance of the petitioner and pass appropriate order thereon while disposing of the appeal.

With the observation and liberty aforementioned, we dispose of this contempt application.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Archana/Surendra

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