

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1043 of 2016

Prabhunath Ojha, s/o Brij Narayan Ojha, r/m-Ward No. 24, Chunni Kamkar
Ki Gali, P.S.-Dumraon, District-Buxar.

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Sc3-Syed Arshad Alam

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-02-2019 None appeared on behalf of petitioner.

This writ petition has been filed challenging the order dated 24.06.2013 (Annexure-5) passed by the Collector-cum-District Magistrate, Kaimur (Bhabhua) in Forest Confiscation Appeal No. 15/2012-13 affirming the order dated 17.11.2012 (Annexure-4) passed by Authorized Officer-cum-Forest Divisional Officer, Kaimur (Bhabhua), by which the vehicle of petitioner was confiscated under provision 52 of the Indian Forest Act, 1927.

Counter Affidavit has been filed on behalf of State mentioning therein that vehicle of the petitioner was confiscated by the Authorized Officer-cum-D.F.O., Kaimur on 17.11.2012. The petitioner has filed appeal before the District Magistrate, Kaimur. The District Magistrate upheld the confiscation order of



Authorized Officer on 24.06.2013. Respondent No. 4 (D.F.O., Kaimur) after taking time of about more than one year, published for auction of the said vehicle in newspaper dated 31.08.2014. Respondent no. 4 has done so in the interest of State Revenue. The said vehicle was auctioned on 16.09.2014. The petitioner, despite giving enough opportunities and time, has filed the instant writ petition after lapse of long time of auction of the said vehicle.

The State has enclosed photo copy of F.I.R. of Chainpur P.S. Case No. 55/2012 dated 12.04.2012 along with seizure-list, publication in newspaper dated 31.08.2014, bid sheet for sale of confiscated vehicle dated 16.09.2014, which are marked as Annexure- A, B and C.

Vehicle of the petitioner has already been auctioned on 16.09.2014 after confiscation. This writ petition has been filed on 14.01.2016. No remedy can be provided to the petitioner.

This writ petition is accordingly dismissed.

(Sanjay Priya, J)

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