

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15976 of 2016

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M/s Shambhu Timber, Singhia, P.S. Singhia, Distt. Kishanganj, a partnership firm through its Partner Nemchand Agarwal, Son of Late Shambhu Dayal Agarwal, resident of Village- Kochadhaman P.S. Kochadhaman, District-Kishanganj.

... .. Petitioner/s

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 Licensing Officer-cum- Divisional Forest Officer, Araria Forest Division, Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate.
For the State : Ms. Shalini Raut, A.C. to S.C. 17

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date : 14-05-2019

This writ application has been filed for issuance of writ in the nature of mandamus directing the respondent No. 3 to dispose of the petition dated 13.7.2016 (Annexure-2) in accordance with law.

Heard Mr. Vinay Mistry, learned counsel for the petitioner and Ms. Shalini Raut, A.C. to S.C. 17 counsel appearing on behalf of the State.

Counsel for the petitioner submits that licence of the petitioner was cancelled by order dated 23.12.1996 after taking into consideration the ex-parte report submitted by the Ranger, Forest Range, Bahadurganj, to the then Divisional Forest Officer,



Purnea Forest Division, Purnea, vide Memo No. 358 dated 10.10.1995 wherein it was stated that the Pacca House was constructed in the premises and no mark of Saw Mill was there. Thereafter, the petitioner filed petition before the Licensing Officer-cum-Divisional Forest Officer, Araria Forest Division, Araria, (Respondent No. 3) on 13.7.2016 mentioning earlier grounds as mentioned in detail in paragraph-8 of the writ petition about illegality in cancelling the licence of the petitioner. The aforesaid petition is pending before the Respondent No. 3 since 13.7.2016 and no final order has been passed by him.

Prayer has been made by the petitioner to give direction to Respondent No. 3 to dispose of the aforesaid petition filed by him at the earliest.

Counsel for the State is present and submits that on the petition of the petitioner, appropriate order will be passed within a short period.

In such circumstances, this writ application is disposed off with direction to Respondent No. 3 to pass final order on the petition dated 13.7.2016 filed by the petitioner after giving him proper opportunity of hearing and looking into all the relevant documents filed by him as well as considering the grounds as mentioned in paragraph-8 of this writ petition. The Respondent



No. 3 will pass speaking order in the matter within a period of two months from the date of receipt/production of a copy of this order.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21/05/2019
Transmission Date	N.A.

