

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5291 of 2019

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Ram Khelawan Sharma, S/o Sukam Barhi Resident of Village Baristhi Tola
(Bhajaon Toil), P.S. Supaul, Dist.-Supaul

... .. Petitioner/s

Versus

1. The State of Bihar through, its Principal Secretary, Department of Forest,
Govt. of Bihar, Patna
2. Divisional Forest Officer, Supaul
3. The District Forest Officer, Supaul

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dinesh Prasad Verma, Advocate.
For the State	:	Mr. Raghwanand, G.A.XI, Mr. Rajan, A.C. to. G.A.-XI.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 25-03-2019

Heard Mr. Dinesh Prasad Verma, counsel for the
petitioner and Mr. Raghwanand, G.A. XI, for the State.

Counsel for the petitioner submits that he has filed
application before the competent authority (Divisional Forest
Officer), Supaul, for grant of licence for wood based industries
(Band with trolley) for the use of 24” diameter wood including Saw
Pit under the provisions of Bihar Wood Based Industries
(Establishment and Regulation) Rules, 2017 on 20.01.2018 but the
same is still kept pending in the office of respondent No. 2
(Divisional Forest Officer, Supaul) and no final order has been
passed. Copy of the said application has been filed as Annexure-1
to the writ petition.



Counsel for the petitioner submits that petitioner is manufacturing the Wood product under the Udyog Adhar registration Certificate bearing No. BR36A0011650 dated 5.11.2017, namely, M/s. R.K. Kast Adharit Upkaran Udyog. The petitioner has been presently issued licence for manufacturing of wood products measuring the wood of 18” diameter. The respondents used to threaten the petitioner that he is using more than 18” diameter of wood for manufacturing the wood products. Therefore, petitioner applied for licence for using upto 24” diameter wood under the provisions of Bihar Wood Based Industries (Establishment & Regulation) Rules, 2017.

The petitioner filed several representations before the authority concerned in this regard, but no final order has been passed.

This Court really deprecates such attitude of the competent authority (Divisional Forest Officer), Supaul, to keep pending such application of the petitioner without passing any final order since 20.01.2018. Earlier also the similar matter has come before this Court in CWJC No. 4550 of 2019, in which, this Court has passed order directing respondent No. 2 (Divisional Forest Officer, Supaul), to pass appropriate order in accordance with law on the application pending before him within period of



three months from the date of receipt/production of order.

Under such circumstances, this writ application is disposed off with direction to Respondent No. 2 i.e. Divisional Forest Officer, Supaul, to consider the application dated 20.01.2018 filed by the petitioner for grant of licence along with Demand Draft of Rs.11,000/- as contained in Annexure-1, which is still pending before him, after giving proper opportunity of hearing to the petitioner and looking into all the relevant documents and pass final order, within a period of three months from the date of receipt/production of a copy of this order. The Respondent No. 2 i.e. Divisional Forest Officer, Supaul, will pass speaking order in the matter within aforesaid period.

This writ application is accordingly disposed off.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	29/03/2019
Transmission Date	

