

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5747 of 2019

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Birendra Kumar, Son of Chhote Lal Sharma, R/o Village-Kariho, P.S. and District-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. District Forest Officer, Supaul

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate.
For the Respondent/s : Mr. Gajendra Prasad Yadav, S.C. 17

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 26-03-2019

Heard Mr. Dinesh Prasad Verma, learned counsel for the petitioner and Mr. Gajendra Prasad Yadav, SC-17, for the State.

Counsel for the petitioner submits that petitioner has filed petition in prescribed format along with required documents and demand Draft of Rs.11,000/- for grant of licence of Wood based industries which is kept pending in the office of the Respondent No. 2, i.e. Divisional Forest Officer, Supaul, since 25.01.2018 for issuance of licence for the 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.



Xerox copy of the aforesaid application has been enclosed as Annexure-1 to the writ application.

Counsel for the petitioner submits that petitioner is manufacturing the Wood product under the Udyog Adhar registration Certificate bearing No. 976139756763, UAM No. BR360011779, namely, M/s. P.D. Kast Upkaran Nirman 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, the petitioner has applied for licence for using upto 24” diameter wood under the provisions of Bihar Wood Based Industries (Establishment & Regulation) Rules, 2017, which is kept pending by the authority concerned since 25.01.2018.

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 25.01.2018. Earlier also the similar matter has come before this Court in CWJC No. 4550 of 2019 and 5291 of 2019, in which, this Court has passed order directing the respondent No. 2 (Divisional Forest Officer, Supaul), to pass



appropriate order in accordance with law on the application pending before him within a period of three months from the date of receipt/production of order.

Under such circumstances, this writ application is disposed off with direction to the Respondent No. 2 i.e. Divisional Forest Officer, Supaul, to consider the application dated 25.01.2018 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	04/04/2019
Transmission Date	

