

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7909 of 2019

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Raj Kumar Yadav Son of Uttim Yadav Resident of Village- Jhajh, Mansadih,
P.S.- Barachatti, District- Gaya, at present residing in the house of
Dhaneshwar Prasad, Flat No. 25/239, Kankarbagh, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Forest and Environment, Govt. of Bihar, Patna.
2. The Secretary, Forest and Environment Department, Govt. of Bihar, Patna.
3. The Collector, Gaya.
4. The Divisional Forest Officer, Gaya.
5. The Forest Officer, Barandi Protected Forest (Bepunpur), Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav
For the Respondent/s : Mr.Anant Prasad Singh SC-15

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

This writ petition has been filed for issuance of an
appropriate writ(s), order(s), direction(s) for the following
reliefs:-

(i) For directing the respondent Secretary of the
Forest and Environment Department (respondent no.2) to
dispose of the Revision No. 27/2018 which was filed by the
petitioner on 24.9.2018 against the order dated 19.02.2018
passed by the Divisional Forest Officer, Gaya in Confiscation
case no. 34/2017 in connection with Vehicle (J.C.B.) No. BR-



01-GE/2218 belonging to the petitioner. The aforesaid Revision application pending before the Respondent no.2 has not been disposed of till date.

Learned counsel for petitioner has submitted that in the night of 6/7.10.2017 at about 12. 45 A.M. on the basis of secret information, informant along with police force raided and seized six trucks and two vehicles (J.C.B.) including JCB No BR-01 GE-2218 of the petitioner. It has further been submitted that petitioner with the help of all the seized vehicles was damaging the plants in violation of law of the Forest. The confiscation case has been initiated by the authorized officer-cum-D.P.O., Gaya vide confiscation case no. 34 of 2017 on the basis of the seizure made by the Forest officials. The seized vehicle of the petitioner has been confiscated vide order dated 19.2.2018. The petitioner had filed an appeal under Section 52 A of the Indian Forest Act before the Collector, Gaya against the order of Confiscation. The Appellate Authority upheld the order of the authorized officer on 22.6.2018. The petitioner had thereafter preferred revision application before the Revisional Authority i.e. The Secretary, Forest and Environment Department, Govt. of Bihar, Patna (respondent no.2) on 14.09.2018, but no final order has been



passed on the revision application by the Revisional Authority till date.

Learned counsel for petitioner seeks direction from this Court to direct the Revisional Authority to pass final order in the revision application expeditiously.

In such circumstances, this writ application is disposed of with direction to the Secretary, Forest and Environment Department, Govt. of Bihar, Patna (respondent no.2) to pass final order in the revision application preferred by the petitioner on 14.09.2018 after giving opportunity of hearing to him and looking into all the relevant documents in accordance with law within a period of two months from the date of receipt/production of copy of this order.

(Sanjay Priya, J)

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