

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9257 of 2019

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Sachendra Sharma @ Sachendra Kumar, Son of late Saryug Sutihar, Resident of Village- Bishanpur, P.S. Supaul, 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 Foest Officer, Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate.
For the Respondent/s : Mr. Anant Pd. Singh (Sc15)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 26-04-2019

This writ application has been filed by the petitioner for issuance of necessary direction to the Respondent No.2 to dispose of the representation filed by the petitioner for grant of licence as contained in Annexure-1, which is pending in the office of Respondent No. 2 since 5.2.2018 for final order.

Counsel for the petitioner submits that he has filed application in prescribed format along with relevant documents 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, 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 enclosed 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. BR36A0011933 dated 17.9.2018, in the name and style "M/s. R. Sharma Kast Adharit 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 on 5.2.2018 in prescribed format. He has also deposited Demand Draft of Rs.11,000/- which has been enclosed as Annexure-1 to the writ petition.

The petitioner filed representation before the authority concerned for grant of licence as mentioned in Annexure-4 to the writ petition, but no final order has been passed.

Counsel for the Respondents is present. He submits that decision on representation filed by the petitioner will be taken within short period.

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 5.2.2018. 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.

This writ application is disposed off with direction to Respondent No. 2 i.e. Divisional Forest Officer, Supaul, to consider the application dated 5.1.2018 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	29/04/2019
Transmission Date	N.A.

