

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8241 of 2019

1. Md. Moinuddin Son of Late Azizur Rahman Resident of Ward No.12/20, Sisauna, P.S. Araria, District-Araria.
2. Ram Charitra Sharma Son of Late Lakhan Sharma Resident of Parwaha, P.S. Forbisganj, District-Araria.
3. Md. Tahir Hussain Son of Late Gulam Mustafa Resident of Village-Dhanpura, P.S. Jokihat, District-Araria.
4. Md. Masuood Alam Son of Late Shamshul Arphin Resident of Village-Belwaghat Tola, P.S. Araria, District-Araria.
5. Pradeep Singh Son of Late Ramdeo Singh Resident of Village- Belwaghat Tola, P.S. Araria, District- Araria.
6. Md. Hasnain Son of Late Maniruddin Resident of Village- Rahmatpara, Kochadhaman, P.S. Kochadhaman, District- Kishanganj.
7. Md. Tazmul Hussain Son of Late Tazimuddin Resident of Village- Paukhali, P.S. Thakurganj, District-Kishanganj.
8. Abhimanyu Mistri Son of Late Bandhu Mistri Resident of Village- Goh, P.S. Goh, District- Aurangabad.
9. Mithilesh Mistri Son of Late Sri Shyam Bihari Mistri Resident of Village-Konch, P.S. Konch, District-Gaya.
10. Kiran Sharma W/o Late Chote Lal Mistri Resident of Village- Rajauli, P.S. Rajauli, District- Nawada.
11. Chotelal Mistri Son of Late Gaya Mistri Resident of Village- Rajauli, P.S. Rajauli, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment and Forest Department, Government of Bihar, Patna.
2. The Principal Chief Conservator of Forest-cum-Chairman of State Level Committee for Wood-based Industries, Bihar, Patna.
3. The Licensing Officer-cum-Divisional Forest Officer, Araria Forest Division, Araria.
4. The Licensing Officer-cum-Divisional Forest Officer, Gaya Forest Division, Gaya.
5. The Licensing Officer-cum-Divisional Forest Officer, Aurangabad Forest



Division, Aurangabad.

6. The Licensing Officer-cum-Divisional Forest Officer, Nawada Forest Division, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry
For the Respondent/s : Mr.Chitranjan Sinha PAAG-2
with Mr. Shailendra Kumar, AC to P AAG-2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date : 18-04-2019

Heard learned counsel for the petitioners and the State.

The petitioners have prayed for issuance of writ in the nature of Mandamus directing the respondent no.2 Chairman of the State Level Committee for Wood-based Industries, Bihar to dispose of the petition dated 11.1.2017 and 27.1.2017 respectively (Annexure-3 series) filed by the petitioners for grant of license under Bihar Saw Mills (Regulation) Act, 1990 in terms of the order dated 5.10.2015 passed by the Hon'ble Supreme Court in Writ Petition (Civil) no. 202 of 1995 as the State of Bihar vide Memo no. 406 dated 31.12.2015 has already constituted State level committee under the chairmanship of the Principal Chief Conservator of Forest, Bihar.

Learned counsel for the petitioners has submitted that facts of this case is similar with the case which has already been disposed off by this Court vide judgment dated 14.2.2019



passed in C.W.J.C. No. 22193 of 2018. Learned counsel further submits that since the case of petitioners is exactly identical, and as such, the present writ application may also be disposed of in terms of the aforesaid order.

Learned counsel for the State has no objection to such submission made on behalf of the petitioners.

In such circumstances, this writ application is disposed of with direction to the respondent no.2 (Principal Chief Conservator of Forest-cum -Chairman of State Level Committee for Wood-based Industries, Bihar Patna) to look into the contention raised by the petitioners in the petitions as contained in Annexure-3 series and after giving proper opportunity of hearing to the petitioners and looking into relevant documents, dispose off the same within a period of three months from the date of receipt/production of this order.

In the meanwhile, Respondent no. 2 (The Principal Chief Conservator of Forest-cum -Chairman of State Level Committee for Wood based Industries, Bihar Patna) will not take any coercive step against the petitioners till final order is passed on the petitions filed by the petitioners.

The writ application is, accordingly, disposed off.

Let this order be communicated to the Respondent No.2



(The Principal Chief Conservator of Forest -cum -Chairman of
State Level Committee for Wood -based Industries, Bihar Patna)
for proper compliance.

(Sanjay Priya, J)

shyambihari/-

AFR/NAFR	
CAV DATE	
Uploading Date	25.4.2019
Transmission Date	

