

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10015 of 2019

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1. Ram Prakash Sharma son of Late Yadunandan Mistri resident of village- Sevaigha, P.S. Kurtha, District- Arwal.
 2. Sri Ram Mistri son of Ramswaroop Mistri resident of village- Kurtha, P.S. Kurtha, District- Arwal.
 3. Ranjit Kumar son of Ramswaroop Mistri resident of village- Kurtha, P.S. Kurtha, District- Arwal.
 4. Ramji Sharma son of Ram Ekbal Mistri resident of village- Kurtha, P.S. Kurtha, District- Arwal.
 5. Munna Mistri son of Late Satrudhan Mistri resident of village- Kurtha, P.S. Kurtha, District- Arwal.
 6. Binod Mistri son of Late Rampati Mistri resident of village- Mubarakpur, P.S. Kurtha, District- Arwal.
 7. Balmiki Mistri son of Late Rambaran Mistri resident of village- Kurtha, P.S. Kurtha, District- Arwal.

... .. 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, Aurangabad Forest Division, Aurangabad.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 02-05-2019

1. Heard Mr. Vinay Mistry, learned counsel for the petitioners and Mr. Gajendra Prasad Yadav, S.C. 17, for the State.

2. This writ application has been filed for issuance of a writ in the nature of mandamus directing the Respondent No. 2 -Chairman of State Level Committee for Wood-based Industries,



Bihar, to dispose of the petition dated 25.1.2017 (Annexure-3) 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 3.12.2015 has already constituted State Level Committee under the Chairmanship of the Principal Chief Conservator of Forest, Bihar, Patna. Petitioner further sought direction to the Respondents for not taking any coercive action against them till disposal of the petition dated 25.1.2017.

3. Counsel for the petitioners submits that petitioners were directed by the State Level Committee to file six copies of the petitions for grant of license 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 3.12.2015 has already constituted State Level Committee under the Chairmanship of the Principal Chief Conservator of Forest, Bihar.

4. Petitioners have filed a detailed petition before the Respondent No. 2 on 25.01.2017 requesting him to direct the Licensing Officer to grant license to the Petitioners, copy of which, has been enclosed as Annexure-P/3, but neither the date of



hearing on the aforesaid petition has been fixed nor any decision has been taken by the Respondent No. 2 for grant of license in terms of the order dated 5.10.2015 passed by the Hon'ble Supreme Court. The aforesaid petition is still pending for consideration after lapse of more than one year.

5. Counsel for the petitioners submits that facts of the case of petitioners is similar to the facts which was disposed of by this Court vide Judgment dated 14.02.2019 passed in CWJC No. 22193 of 2018.

6. Since the case of the petitioner is identical to the facts of the case of CWJC No. 22193 of 2018, this writ application is disposed off with direction to the Respondent No. 2 (The 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 petition as contained in Annexure-3 series and after giving proper opportunity of hearing to the Petitioners and after relying on relevant documents, dispose off the same within a period of three months from the date of communication of this order.

7. In the meanwhile, the 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 decision is made in the petition filed by the Petitioners.

8. This writ application is, accordingly, disposed off.

9. 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)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09/05/2019
Transmission Date	N.A.

