

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14094 of 2015

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Mukesh Kumar, Son of Ram Udgar Sharma, Resident of Darbhanga Town,
Post Office - Lalbagh, Police Station - University, District - Darbhanga. At
Present residing at Village - Chhipala, Police Station - Raj Nagar, District -
Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Chief Conservator of Forest, Bihar, Patna.
3. The Chairman - cum - Commissioner, Saw Mill, Selection Committee,
Darbhanga, Division, Darbhanga.
4. The Conservator of Forest, Muzaffarpur, Anchal Muzaffarpur.
5. The Divisional Forest Officer, Mithila Forest Division, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhas Ranjan, Advocate.

For the Respondent/s : Mr. Manoj Kumar, A.C. to G.P.-4

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 07-01-2019

1. Heard Mr. Prabhas Ranjan, counsel for the petitioner
and Mr. Manoj Kumar, A.C. to G.P.-4 for the State.

2. The petitioner is aggrieved by non-inclusion of his
name in the seniority list of Saw Mills prepared by the Committee
on 19.9.2012. The petitioner has challenged the aforesaid seniority
list by filing CWJC No. 2424 of 2013 before this Hon'ble Court,
which was disposed off by order dated 13.2.2013 with liberty to
the petitioner to file appeal before the Appellate Authority as
prescribed under the new resolution. Petitioner accordingly
preferred Misc. Appeal No. 2 of 2013 before Adhoc Additional
District Judge-4, Darbhanga, who by order dated 23.8.2014 has



observed in concluding paragraph of the order that there are some discrepancies while preparing final list by the authority concerned and seniority of petitioner's Saw Mill has been ignored. The Appellate court has also observed that the order dated 21.9.2012 requires interference and the same was set aside by the Appellate order. Thereafter, the petitioner has filed representation before the Principal Chief Conservator of Forest, Bihar), Patna, as contained in Annexure-3 and 4 dated 10.10.2014 and 6.2.2015, but no order has been passed by the Principal Chief Conservator of Forest till date.

3. Counsel for the State has filed counter affidavit stating that seniority list of Saw Mills of Darbhanga district has been published by order No. 47 dated 21.9.2012 by the Principal Chief Conservator of Forests, Bihar in accordance with the resolution dated 16.8.2012 after order passed by Hon'ble Supreme Court in WP (C) No. 202 of 1995.

4. Counsel for the petitioner submits that appellate order dated 23.8.2014 as contained in Annexure-2 has never been challenged by the Department before any other Court to best of his knowledge. Therefore, this case requires consideration on his representation by the competent authority.



5. This writ application is accordingly disposed off with direction to the Principal Chief Conservator of Forests, Bihar, to pass final order on pending representation filed by the petitioner as contained in Annexure 3 and 4, in accordance with law within a period of three months from the date of receipt of this order after considering the judgment passed by the Appellate Authority as contained in Annexure-2 dated 23.8.2014 in Misc. Appeal No. 2 of 2013.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	AFR
CAV DATE	N.A.
Uploading Date	10/ 01/2019
Transmission Date	

