

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14923 of 2019

1. M/s Usha Saw Mill Simarkaul- Rajauli, P.S.- Rajauli, District- Nawada, a Proprietorship firm through its Proprietor Usha Devi aged about 46 years, Wife of Sri Shankar Mistri, Resident of Simarkaul- Rajauli, P.S.- Rajauli, District- Nawada.
2. M/s Rajkumar Saw Mill, Dumri Chatti, P.S. Fateshpur, District- Gaya, a proprietorship firm through its Proprietor Rajkumar Mistri aged about 46 years Son of Late Basant Mistri, Resident of Dumri Chatti, P.S.- Fatehpur, District- Gaya.
3. M/s Ashutosh Furniture and Saw Mill, Fatehpur Dihuri, P.S. Goh, District- Aurangabad, a proprietorship firm through its Proprietor Navin Kumar aged about 26 years son of Chandeshwar Mistri, Resident of Fatehpur Dihuri, P.S. Goh, District- Aurangabad.
4. M/s Mungeshwar Saw Mill, Khairadih, P.S.- Kinjar, District- Arwal, a proprietorship firm through its Proprietor Mungeshwar Mistri aged about 52 years, Son of Late Chandradeo Mistri, Resident of Village- Khairadih, P.S.- Kurtha, District- Arwal.
5. M/s Pintu Furniture and Saw Mill, Akbarpur-Uchaila, P.S. Rohtas, District- Rohtas, a proprietorship firm through its Proprietor Pintu Kumar, aged about 31 years Son of Sudarsan Sharma, Resident of Akbarpur-Uchaila, P.S.- Rohtas, District- Rohtas.
6. M/s Vivek Saw Mill, P.G. Road, Jehanabad, P.S. Jehanabad, District- Jehanabad, a proprietorship firm through its Proprietor Vivek Sharma, aged about 38 years, Son of Late Saryug Vishwakarma, Resident of Village- Larsa, P.S.- Parasbigha, District- Jehanabad.
7. M/s Abnish Saw Mill, Simuara, P.S.- Kurtha, District- Arwal, a proprietorship firm through its Proprietor Abnish Kumar aged about 45 years Son of Ashwani Kumar Singh, Resident of Village Simuara, P.S.- Kurtha, District- Arwal.
8. M/s Akhilesh Saw Mill, Paliganj, P.S. Paliganj, District- Patna, a proprietorship firm through its Proprietor Akhilesh Kumar, aged about 24 years, Son of Bhuneshwar Mistri, Resident of Paliganj, P.S. Paliganj, District- Patna.
9. M/s Surendra Timber, Pathu, District- Aurangabad, a proprietorship firm through its Proprietor Surendra Mistri aged about 48 years, Son of Late Bigan Mistri, Resident of Village Pathu, P.S.- Pathu, District- Aurangabad.

... .. 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.



4. The Licensing Officer-cum-Divisional Forest Officer, Rohtas Forest Division, Rohtas.
5. The Licensing Officer-cum-Divisional Forest Officer, Gaya Forest Division, Gaya.
6. The Licensing Officer-cum-Divisional Forest Officer, Nawada Forest Division, Nawada.
7. The Licensing Officer-cum-Divisional Forest Officer, Patna Forest Division, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the Respondent/s : Mr. Gajendra Pd. Yadav (SC-17)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 25-07-2019

Heard Mr. Vinay Mistry learned counsel for the petitioners and Mr. Gajendra Prasad Yadav, S.C.-17 counsel appearing on behalf of the State.

The petitioners have prayed for issuance of 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 of the petitioners dated 11.1.2017 (Annexure-3 series) 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.



Counsel for the petitioners submits that no order has been passed on the aforesaid representations filed by the petitioners. He further submits that in similar matter, this Court by Judgment dated 14.2.2019 passed in CWJC No. 22193 of 2018 has issued necessary direction to 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 of that case after giving proper opportunity of hearing to the petitioners and dispose of the same within a period of three months from the date of communication of the order. Xerox copy of the Judgment dated 14.2.2019 passed in CWJC No. 22193 of 2018 has been enclosed as Annexure-P/1.

In view of such, this writ petition is accordingly disposed off with direction to the Respondent No. 2 to look into the contention raised by the petitioners in the petition filed for grant of licence dated 11.01.2017 (Annexure-P/3) and dispose off the same after giving proper opportunity of hearing to the petitioners looking into relevant documents, within a period of three months from the date of communication of this order.

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 steps against the petitioners till final decision is taken on the petitions filed by the petitioners.

This writ petition is accordingly, disposed off.

Let this order be communicated to 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	01/08/2019
Transmission Date	

