

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17092 of 2019

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1. M/s Puja Furniture and Saw Mill Madvan, P.S.- Sakra, District- Muzaffarpur a proprietorship firm through its Proprietor Sandeep Kumar, aged about 31 years, Gender- Male, Son of Devendra Sharma, resident of Village- Madvan, P.S.- Sakra, District- Muzaffarpur.
 2. M/s Moti Saw Mill Kundila, P.S.- Sakurabad, District- Jehanabad a proprietorship firm through its Proprietor Moti Mistri, aged about 38 years, Gender- Male, Son of Suresh Mistri, resident of Village- Kundila, P.S.- Sakurabad, District- Jehanabad.
 3. M/s Arun Timber Sultanpur- Paraiya, P.S.- Dulhin Bazar, District- Patna a proprietorship firm through its Proprietor Arum Mistri aged about 39 years, Gender- Male, Son of Mahesh Mistri, resident of Village- Fatehpur, P.S.- Dulhin Bazar, District- Patna.
 4. M/s Satyendra Saw Mill Raja Bazar, Jehanabad, P.S.- Jehanabad, Distt.- Jehanabad, a proprietorship firm through its Proprietor Satyendra Kumar, Son of Kailash Mistri, resident of Raja Bazar, P.S. and Distt.- Jehanabad.

... .. 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 Muzaffarpur Forest Division, Muzaffarpur.
4. The Licensing Officer-cum- Divisional Forest Officer Gaya Forest Division, Gaya.
5. The Licensing Officer-cum- Divisional Forest Officer Patna Forest Division, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry
For the Respondent/s : Mr.Raghwanand (Ga11)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 21-08-2019

1. The petitioners have filed this writ petition for issuance of writ in the nature of Mandamus directing the Respondent No. 2, i.e the Chairman of State Level Committee for



wood-based Industries, Bihar, Patna, to dispose of the petition dated 27.1.2017 (Annexure-3) filed by the petitioners for grant of licence 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.

2. The petitioners in terms of Bihar Saw Mills (Regulation) Act, 1993, has applied for grant of licence on 3.8.2002, 10.8.2002 and 12.8.2002 respectively.

3. Counsel for the petitioners submits that identical matter has been disposed off by this Court vide Judgment dated 14.2.2019 passed in CWJC No. 22193 of 2018. The petitioners want disposal of the instant case in terms of the aforesaid order passed by this Court.

4. It is submitted that petitioners in terms of Bihar Saw Mills (Regulation) Act, 1993, have applied for grant of licence on 3.8.2002, 10.8.2002 and 12.8.2002 respectively which are still pending for consideration.

5. Counsel for the petitioners submits that petitioners are entitled to grant licence of new Saw Mill under the provisions



of Bihar Saw Mills (Regulation) Act, 1990, in place of 15, 13 and 142 seats are still vacant for grant of licence in the District of Muzaffarpur, Jehanabad, Patna, etc. It has further been submitted that no decision has been taken by Respondent No. 2 (The Principal Chief Conservator of Forest-cum-Chairman of State Level Committee for Wood-based Industries, Bihar, Patna) in spite of direction by the Hon'ble Supreme Court.

6. In view of such, 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 aforesaid petitions 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 receipt/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) shall not take any coercive step against the petitioners till final order is passed on the petitions filed by the petitioners.

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



9. 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	27/08/2018
Transmission Date	N.A.

