

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13183 of 2016

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Bishwanath Sharma son of late Dwarka Sharma Resident of Village- Bamo,
P.O. Mahua via Digwa Dubauli, P.S. Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. principal Secretary, Forest Department, Government of Bihar, Patna
3. The Divisional Forest Officer-Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma
For the Respondent/s : Mr.Uday Shabkar Sharan Singh-Gp1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 25-06-2019

The instant writ application has been filed for quashing the order dated 6.2.2016 passed by respondent no.3 as contained in Annexure-5, issued vide Memo no. 172, by which the claim of the petitioner for grant of licence for running Saw Mill has been rejected.

Learned counsel for petitioner has submitted that in compliance of the earlier order passed by this Court dated 11.8.2015 passed in CWJC No. 15413 of 2012 representation was filed before respondent no.2 which was sent to the respondent no.3 for proper action. Respondent no.3 has passed the impugned order as contained in Annexure-5 stating that he has no power to review the order. Learned counsel further submits that he has filed a detailed representation before



respondent no.2 as contained in Annexure-4 but the respondent no.3 while passing the impugned order has not considered any of the point taken by petitioner in the aforesaid representation. Learned counsel for petitioner submits that since respondent no.3 has not considered the representation filed by petitioner on merit necessary direction be given to respondent no.2 to pass fresh order in accordance with law on the representation filed by petitioner as contained in Annexure-4.

In such circumstances, this writ petition is disposed of with direction to respondent no.2 to dispose of representation filed by petitioner within a period of two months from the date of filing of such representation by petitioner by speaking order after affording proper opportunity of hearing to petitioner and looking into all the relevant documents filed by petitioner. The petitioner will file necessary representation before respondent no.2 along with order passed by respondent no.3 as contained in Annexure-5 within a period of three weeks from the date of this order.

(Sanjay Priya, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
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