

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17700 of 2019

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Vijay Kumar @ Ran Vijay Prasad, son of Bajrangi Sah, Resident of Village-106, Kolo Dehri, Patalpura, P.S. Sahar (Chauri), District- Bhojpur. At present- R/o Mohalla- Subhash Nagar, P.S.- Dalmiyanagar, Dehri, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer-cum- Authorized Officer, Rohtas Forest Division, Sasaram, District- Rohtas.
4. The Forest Range Officer, Tilauthu Forest Region, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Babu Nandan Prasad
For the State	:	Mr. Sanjay Kumar, A.C. to SC-15

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 29-08-2019

This writ petition has been filed for issuance of writ in the nature of mandamus directing the Respondent Authorities to release the vehicle bearing Registration No. JH-02P-0941 loaded with Goods (Pattia). Petitioner has made prayer in the writ petition also for issuance of direction to the Appellate Authority i.e. Respondent Collector to decide the Appeal No. 70 of 2016 dated 8.11.2016.

Heard Mr. Babu Nandan Prasad, learned counsel for the petitioner and Mr. Sanjay Kumar, A.C. to S.C. 15 counsel appearing on behalf of the State.



Counsel for the petitioner submits that as per order dated 31.1.2018 passed in Cr. WJC No. 44 of 2018 (Annexure-3), this Hon'ble Court has already directed the respondent authority to release the vehicle of the petitioner in question, but vehicle of the petitioner has remained in custody of the Respondent and during aforesaid period, all the wheels of vehicles, tyres and Battery were removed from the vehicle. Therefore, petitioner refused to take the vehicle in question from the seizing authority. It appears that in this respect earlier order has already been passed by this Hon'ble Court vide order dated 12.9.2018 passed in MJC No. 2138 of 2018 arising out of Cr.WJC No. 44 of 2018, in which the petitioner was directed to represent the matter before concerned authority who had seized the vehicle and, thereupon, the said authority will be liable to answer him.

Therefore, this Court finds that no further order is required to be passed in this writ application.

The petitioner is directed to file necessary application before the concerned authority in terms of the earlier order dated 12.9.2018 passed by this Court in MJC No. 2138 of 2018 arising out of Cr.WJC No. 44 of 2018.

The concerned authority will pass appropriate order on the aforesaid application filed by the petitioner in accordance with



law within a period of one month from the date of receipt of the same.

This writ petition is, accordingly, disposed off with aforesaid observation made above.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02/09/2019
Transmission Date	N.A.

