

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.466 of 2016

Arising out of

Civil Writ Jurisdiction Case No.7444 of 2015

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Bhuneshwar Mistry son of Late Sukhdeo Mistry resident of Village- Ankuri,
P.S. Paliganj, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sri Vivek Kumar Singh, the Secretary, Environment and Forest Department,
Government of Bihar, Patna
3. Sri B.A. Khan, the Principal Chief Conservator of Forest, Bihar, Patna.
4. Sri Gopal Singh, the Divisional Forest Officer, Patna Forest Division, Patna.
5. Sri Rai Alok Chandra, Forester, Masaurhi-cum- Paliganj, District- Patna.
6. Sri Anirudh Prasad Singh, the Police Sub- Inspector, Paliganj, District-
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the State : Mr. U.P. Singh, AC to SC 4

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 09-09-2019

Heard learned counsel for the petitioner and learned
AC to SC 4 for the State.

2. The petitioner has moved the Court alleging
deliberate disobedience of order dated 31.07.2015 passed in
CWJC No. 7444 of 2015.

3. By the said order, the seized articles belonging to
the petitioner had to be returned on production of copy of the
order before the concerned authority.



4. From the pleadings on record, it appears that the seized articles of the petitioner were on the land of one Vikash Kumar Ranjan and the petitioner is said to have taken away all the articles on 31.11.2017 after writing down such fact in the presence of other persons. Copy of the same has been brought on record in the show cause filed on behalf of the authorities. It appears that the petitioner having taken away the articles without formalities being completed by the authorities, FIR has also been lodged against him.

5. Rejoinder has been filed on behalf of the petitioner today in which the stand is that the said written document showing that he has taken away the articles is forged and fabricated.

6. From comparison of the signatures of the petitioner available on the record of this case, the Court *prima facie* finds that it has been made by the same person. However, the Court would not give a finding on such issue as already a criminal case is pending against the petitioner which requires to be taken to its logical conclusion, in accordance with law.

7. In the aforesaid background, from the pleadings and materials on record, the Court finds that there is no deliberate or wilful disobedience by the authorities of the



directions of the Court in its order dated 31.07.2015 passed in
CWJC No. 7444 of 2015.

8. Accordingly, the application stands disposed off.

(Ahsanuddin Amanullah, J)

Anjani/-

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