

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24644 of 2019

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Surendra Yadav, S/o Basudev Yadav, R/o Village- Gunadih, P.S.- Barachati,
Dist.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Forest Department of Bihar, Patna.
2. The Forest Divisional Officer, Gaya Forest Division,
3. The Forest Range Officer, Balua Forest Range, Barachati, District- Gaya.
4. The Authorized Officer-cum - Forest Divisional Officer, Gaya Forest Divisional, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh with Mr. Mukul Jee, Advocates
For the State	:	Mr. Raghwanand, GA 11 with Mr. Sanjay Kumar Tiwari, AC to GA 11

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 16-12-2019

Heard learned counsel for the petitioner and learned

GA 11 for the State.

2. The petitioner has moved the Court for the
following reliefs:

“(i) For quashing of the order dated 19.09.2019 passed in Forest Confiscation case No. 15/2019 by the court of respondent no. 4 and supplied vide memo no. 4041 dated 20.09.2019 to the petitioner, whereby and where under the Swaraj Tractor of the petitioner bearing Registration No. JHQ2AG-8940 Chassis No. WXTL 24405036708, Engine No. 331008 STL 3996A and its Trailer bearing Registration No. BR02GA-0186, Chassis No. 55022016, has been confiscated in favour of the State Government.

(ii) For release of the said Swaraj Tractor of the petitioner in his favour which has been seized in connection with Forest Case No. 50/2019 on



30.05.2019 for the offences of sections 33(1)(b) of Indian Forest Act, 1927 (Bihar Amendment) Act, 1989 and for which a Forest confiscation case No. 15/2019 was initiated by the Authorised officer-cum-Forest Divisional Officer, Gaya Forest Division, Gaya.

(iii) And/or for any other appropriate relief(s) to the petitioner for which he may be found entitled to in the eye of law.”

3. Learned counsel for the State, at the very outset, submitted that there is statutory remedy of appeal against the order of confiscation which is impugned in the present application.

4. Faced with the situation, learned counsel for the petitioner submitted that the application be disposed off with liberty to move before the statutory Appellate Authority.

5. In view thereof, the writ petition stands disposed off with liberty aforesaid.

6. If the appeal is filed within one month from today before the authority concerned, the same shall be disposed off, on merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

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