

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.3243 of 2019

ORDER

Heard learned counsel for the petitioner and learned Government Pleader for Forests.

2. The petitioner is a saw mill represented by its Proprietor. Initially, the said mill was running with the licence granted by the forest department by using Vertical Band Saw machinery. Thereafter, the 4th respondent vide proceedings dated 29.03.2006, permitted installation of one Horizontal Log Saw and since then, the petitioner is using one Vertical Band Saw and one Horizontal Log Saw. However, vide proceedings dated 23.01.2018, the 4th respondent deleted the additional machinery of one Horizontal Log Saw from the licence of the petitioner.

3. Learned counsel for the petitioner submits that while renewing the licence in 2018, the petitioner was permitted to run the mill with one Vertical Band Saw. He further submits that the petitioner has made application for renewal of licence on 30.10.2017 in Form-I i.e., before expiry of his licence, which was valid up to 31.03.2018. Thus, he prays to direct the authorities concerned to maintain *status quo* with regard to the machinery of one Horizontal Log Saw by renewing the licence of the petitioner.

4. On the other hand, learned Government Pleader opposes the same and submits that on 23.01.2018, the petitioner's licence was renewed to run one Vertical Band Saw and it was valid up to 31.03.2018, however, as there is no licence to run one Horizontal

Log Saw, permitting the petitioner to use said machinery would be illegal. He further submits that since the petitioner has made application for renewal, the same may be considered in accordance with law, particularly keeping in view the amended rules under G.O.Ms.No.55, dated 26.09.2016, under which a State Level Committee was constituted under G.O.Rt.No.203 dated 16.12.2016.

5. Having regard to the facts and circumstances, the Writ Petition is disposed of granting liberty to the petitioner to make application afresh in the prescribed format complying with the procedural requirements as notified under G.O.Ms.No.55 dated 26.09.2016. As and when such application is made, the competent authority shall dispose of the same in accordance with law, as expeditiously as possible, preferably within a period of four months from the date of receipt of such application. No order as to costs.

6. Miscellaneous applications, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

19th February, 2019

sj