

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2592 of 2017

Prashant Kumar Singh S/o- Kesav Singh R/o Mohalla- New Area , Sasaram,
P.S. Sasaram, District- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar through Secretary, Forest and Environment Department,
Govt. of Bihar at Patna
2. The District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer Cum Authorised Officer, Rohtas, Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Uma Shankar Singh
For the Respondent/s : Mr.Gajendra Pd Yadav -SC17

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner as well as
learned AC to Standing Counsel no.17.

The petitioner has prayed for the following relief(s):

"(i) For the issuance of an appropriate writ/direction to the respondent no.2 the appellate authority under Forest Act to dispose the Forest Appeal No.85/2016 filed on 09.12.2016 under Section 52(A) of the Forest Act arising out of an order dated 05.10.2015 in Confiscation Case no.148(B)/2015 passed by Respondent no.3, within a reasonable time frame.

(ii) For the issuance of an appropriate order directing the provisional release of seized vehicle bearing Registration No.BR02X/9966 in favour of the petitioner in connection with the above said case.



(iii) For the issuance of an appropriate order/direction to the Respondent no.2 the Appellate authority to dispose the applications pending before him for the interim or provisional release of the vehicle which is subject of confiscation.

(iv) For the issuance of any other appropriate writ direction/order/orders as your lordships may deem fit and proper for the ends of justice."

A counter affidavit has been filed on behalf of respondent no.3 without having any specific reply to the statement made in the writ petition. It is needless to say that institution duly established under law should not be allowed to be misutilised nor, the forum should frustrate the same. That means to say keeping confiscation appeal pending since 2016 without any rhyme and reason is a circumstance to be taken note of. As such, the appellate authority is directed to dispose it of as early as possible preferably within three months from the date of receipt/production of a copy of this order, failing which the necessary order will follow. In terms thereof, the instant writ petition is disposed of.

(Aditya Kumar Trivedi, J.)

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