

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12 of 2020

1. M/s Neha Timber and Furniture Company, Pachimpatti, Kishanganj, P.S. Kishanganj, District-Kishanganj, at proprietorship firm through its Proprietor Md. Arif aged about 59 years Gender Male son of Late Jalaluddin, resident of Ward No. 3, Pachimpatti, Kishanganj, P.S. Kishanganj, District-Kishanganj.
2. M/s Mahesh Saw Mills, Mahadev Dighi Chowk, Sontha, P.S. Bahadurpur, District-Kishanganj, a proprietorship firm through its Proprietor Mahesh Sharma aged about 41 years Gender Male son of Late Ramfal Sharma, resident of Mohalla-Mahadev Dighi Chowk, Sontha, P.S. Bahadurpur, District-Kishanganj.
3. M/s Durga Saw Mills, Bahadurganj, P.S. Bahadurganj, District-Kishanganj, a proprietorship firm through its Proprietor Narayan Sharma aged about 56 years Gender Male son of Late Bhadar Sharma, resident of Mohalla-Bahadurganj, P.S. Bahadurganj, District-Kishanganj.
4. M/s Bhawani Saw Mills, KTTG Road, Thakurganj, P.S. Thakurganj, District-Kishanganj, a proprietorship firm through its Proprietor Smt. Urmila Prasad aged about 36 years Gender Female wife of Shankar Chandra Agarwal, resident of Mohalla-KTTG Road, Thakurganj, P.S. Thakurganj, District-Kishanganj.
5. M/s Laxmi Saw Mills, Bahadurganj, P.S. Bahadurganj, District-Kishanganj, a proprietorship firm through its Proprietor Ravi Sharma aged about 51 years Gender Male son of Late Upendra Sharma, resident of Mohalla-Bahadurganj, P.S. Bahadurganj, District-Kishanganj.
6. M/s Arun Timber Company, Pawankhati, P.S. Pawankhati, District-Kishanganj, a proprietorship firm through its Proprietor Ashim Kumar Saha aged about 53 years Gender Male son of Late Dr. Shyam Lal Saha, resident of Mohalla-Pawankhati, P.S. Pawankhati, District-Kishanganj.
7. M/s I. Jiva Saw Mill, L.R.P. Chowk, Bahadurganj, P.S. Bahadurganj, District-Kishanganj, a proprietorship firm through its Proprietor Bhagan Bhai Patel aged about 53 years Gender Male son of Late Balaji Patel, resident of Mohalla-L.R.P. Chowk, Bahadurganj, P.S. Bahadurganj, District Kishanganj.
8. M/s Shambhu Timber, Kochadhaman, P.S. Kochadhaman, District-Kishanganj, a proprietorship firm through its Proprietor Nem Chand Agarwal aged about 49 years Gender Male Son of Late Shambhu Dayal Agarwal, resident of Mohalla-Kochadhaman, P.S. Kochadhaman, District Kishanganj.
9. M/s S.S. Timber and Company, Chakla, P.S. Kishanganj, District-Kishanganj, a proprietorship firm through its Proprietor Bijay Prasad aged about 53 years Gender Male son of Late Bhagwan Lal Saha, resident of Mohalla-Chakla, P.S. Kishanganj, District Kishanganj.
10. M/s Hasan Furniture Industries, College Road, Kishanganj, P.S. Kishanganj, District Kishanganj, a proprietorship firm through its Proprietor Maskur Ahmad aged about 58 years Gender Male son of Late Abul Hasan, resident of Mohalla-College Road, Kishanganj, P.S. Kishanganj, District-Kishanganj.



11. M/s Vishwakarma Saw Mills, Hospital Road, Kishanganj, P.S. Kishanganj, District Kishanganj, a proprietorship firm through its Proprietor Subrata Das aged about 52 years Gender Male son of Late Somontalpal Das, resident of Mohalla-Hospital Road, Kishanganj, P.S. Kishanganj, District-Kishanganj.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Environment and Forest Department, Government of Bihar, Patna.
2. The Chairman of State Level Committee for Wood-based Industries, -cum- Principal Chief Conservator of Forest, Bihar, Patna.
3. The Licensing Officer-cum-Divisional Forest Officer, Araria Forest Division, Araria.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Vinay Mistry, Adv.
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG-13
Mr.Gajendra Prasad Yadav (SC17)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 13-01-2020 A counter affidavit has been filed on behalf of respondent no.1 coupled with physical presence of Sri Dipak Kumar Singh, Principal Secretary, Environment and Forest Department, Govt. of Bihar, Patna.

From perusal of the counter affidavit, it is evident that licences of all the petitioners, save and except petitioner no.8, have already been renewed whereupon, now no lis lies relating thereto. As a result of which, instant petition relating to them became infructuous. So far, as petitioner no.8 is concerned, the petition is completely blank, however, from the counter affidavit, it is evident that earlier C.W.J.C.No.15976 of 2016 was filed on behalf of the petitioner no.8 on the same issue,



which was decided on 14.05.2019 directing the licensing authority to pass an appropriate order and, as per statement at the end of learned Addl. Advocate General no.13, same is still pending.

After parallel scrutiny of the submission having with regard to the statement made in consonance with the conduct of petitioner no.8 by way of suppressing the fact of filing C.W.J.C.No.15976 of 2016 with same issue, and having an order in pursuance thereof, the competent authority is adjudicating upon, this writ application is rejected. However, it is made clear that it would not defer the petitioner to continue with his prayer before the licensing authority.

(Aditya Kumar Trivedi, J.)

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