

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.34 of 2020

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Mithilesh Chaudhary, aged about 61 years, (Male), son of Late Sheo Bachan Chaudhary, resident of village Darekhap, P.S. Nasriganj, District Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Forest and Environment, Bihar, Patna
2. The District Magistrate, Rohtas at Sasaram
3. The Divisional Forest Officer cum Authorized Officer, Rohtas Forest Division, Sasaram, District Rohtas
4. The Forestor, Darigaon Forest Region, District Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Adv.
For the Respondent/s : Ms. Ratna Kumari, AC to PAAG2

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioner as well as learned AC to PAAG-2.

Basically instant petition carries prayer having at the end of the petitioner to release the vehicle during intermediary period of the confiscation proceeding bearing 43(A) of 2019 to conclude.

Though learned AC to PAAG-2 is present but is unable to assist the Court properly and on account of absence of learned PAAG-2, the Bench is deprived of necessary assistance.

Be that as it may, keeping pending the confiscation proceeding without any rhyme and reason irrespective of the fact that under section 52 of the Indian Forest Act (Bihar



amendment) no time has been prescribed for conclusion of the confiscation proceeding but that should not be an everlasting story. The Hon'ble Apex Court times without number has observed that allowing the vehicle to be rotted is a national loss.

That being so, the confiscating authority is directed to conclude the confiscation proceeding within two months after receipt/ production of instant order after giving ample opportunity to the petitioner to plead his case, failing which will be accountable for disobedience of the Court's order.

In terms thereof, the instant petition is disposed of.

(Aditya Kumar Trivedi, J)

Surendra/-

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