

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4767 of 2021**

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Shiv Shankar Singh, Son of Doctor Singh, Resident of Village-Mahdewa,  
Police Station-Dehri, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Forest Department,  
Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer-Cum-Authorized Officer, Rohtas Forest  
Division, Sasaram, District-Rohtas.

... .. Respondent/s

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**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Rajani Kant Singh, Advocate  |
| For the Respondent/s | : | Mr. Sarvesh Kr. Singh, AAG 13    |
|                      |   | Mrs. Sunita Kumari, AC to AAG 13 |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 21-12-2021**

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“ 1. That, the petitioner craves indulgence of this Hon’ble Court for issuance of an appropriate writ in the nature of mandamus or any other writ/writs, order/orders, direction/directions, commanding the respondent no.2 to dispose of the Forest (Confiscation) Appeal No. 06/2020 within a specified period which has been filed on behalf of petitioner on 23.11.2020 before the Respondent No.2 for setting aside the order dated 15.02.2020 passed by Respondent No. 3 in Confiscation Case No. 05/2020(A) arising

out of Forest Case No. 05 of 2020 in which the Truck of the petitioner bearing Registration No. JH-05AB/9903, has been seized and further for directing the Respondent No. 2 to release the Truck of the petitioner during the pendency of appeal.”

Learned counsel for the petitioner states that petitioner's appeal is pending before the District Magistrate, Rohtas at Sasaram and petitioner shall be content if a direction is issued for expeditious disposal of the same.

Learned counsel for the respondents states that since the appeal is of the year 2020, the same shall be considered and decided within a period of three months from the date of appearance of the petitioner before the Appellate Authority along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall make himself available before Respondent No. 2 on 10<sup>th</sup> of January, 2022;

(b) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Appellate Authority shall decide the appeal on merits, in compliance of the principles of natural justice;

(f) The Appellate Authority shall pass a reasoned and speaking order, within a period of three months from the date of appearance of the petitioner before the Appellate Authority;

(g) Copy of the order passed by the Appellate Authority shall be supplied to the parties;

(g) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(h) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(i) We have not expressed any opinion on merits and all issues are left open;

(j) Liberty reserved to the petitioner to assail the order, before the appropriate forum, should the need so arise subsequently.

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed  
of.

(Sanjay Karol, CJ)

( S. Kumar, J)

Rajiv/veena-

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| AFR/NAFR          | NAFR |
| CAV DATE          | NA   |
| Uploading Date    |      |
| Transmission Date | NA   |