

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8460 of 2020

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Sampat Kumar Sinha, Son of Ram Sarikha Lal, Resident of Mohalla -
Gaurakshani, Santosi Path, Sasaram, P.S. - Sasaram Town, 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.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Respondent/s : Mr.Dhurjati Kumar, G.P.-14

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 09-02-2021 The petitioner's counsel submits that the

petitioner's truck has been seized on allegation that it was

carrying stone chips.

The submission of the petitioner is that for seizure
of stone chips, the petitioner could not have been proceeded
against under the provisions of the Forest Act as it is not a
forest produce.

The objection of the petitioner to the action having
been taken against him, including confiscation case and its
maintainability, is an issue which does not concern the Court
today.



In today's proceedings, he submits that since the truck of the petitioner is lying in the open and it is his only source of livelihood, his petition for interim release of the vehicle, which has been pending before the Authorized Officer cum Divisional Forest Officer, Sasaram since 10.08.2020, should be disposed of.

The learned State Counsel submits that once the petition for interim release has been filed, he cannot dispute the responsibility or duty of the authority to consider the same and dispose it of, in accordance with law.

Having regard to the submissions of the parties, the writ petition does not call for any adjudication and the same need not be kept pending.

The writ application is disposed of with a direction to the Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Sasaram, District-Rohtas (Respondent No.3) to take a final decision on the petitioner's application for interim release and pass an order, in accordance with law, expeditiously and preferably within four weeks from the date of receipt/production of a copy of this order.

The writ petition stands disposed of with the



aforesaid directions.

(Madhuresh Prasad, J)

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