

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.44 of 2021

Prabhat Kumar Munna, Son of Sri Bachcha Jee Choubey, Resident of flat no. 107, Maa Kali tower, Abhiyanta Nagar, Ranjan Path, near - Gokjula Gas Agency, Bailey road, P.S. - Rupaspur, P.O. Danapur, Patna, Bihar, at present - Janakpuri road no. 1, Gola road, P.O.- Danapur, P.S. - Rupaspur, District- Patna Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Environment, Forest and Climate change, Government of Bihar, Patna.
3. The Additional Chief Conservator, forests, Bihar.
4. Awdhesh Ojha, DFO, Nawada, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar, Advocate
For the Respondent/s : Mr.Sarvesh Kumar Singh, AAG 11

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

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 13-07-2021

Petitioner has prayed for the following relief(s):-

“(i) Issuance of an order, direction or writ in the nature of Mandamus directing the respondent authorities to constitute a high level Committee to probe into the illegalities committed by the private respondent in Nawada Division (for the purpose of



amassing huge amount money).

(ii) For a request to this Hon'ble Court to monitor the enquiry into the illegal and criminal activities of the private respondents while functioning as DFO Nawada.

(iii) Issuance of an order, direction or writ in nature Mandamus directing the State Authorities to produce the enquiry report of the enquiry so conducted against the private respondent on 26.06.2020.

(iv) Any other relief or reliefs as the petitioners may be found entitled to in the facts and circumstances of the case.”

The short issue which arises for consideration is as to whether the Government has taken any action against the erring officer(s)/official(s) who were responsible for mass scale deforestation of the trees in the Nawada Forest Division.

Shri Chakrapani, learned counsel for the petitioner also invites our attention to the news report dated 23rd of June, 2020, published in daily newspaper Hindustan and Dainik Bhaskar [Annexure-4 and 4/1] indicating that perhaps some action was contemplated against the erring official(s)/officer(s).

As prayed for by Shri Chakrapani, learned counsel for the petitioner, we dispose of the present petition with a direction to the State to provide information of the outcome of the proceedings initiated, if any, against the erring



officer(s)/official(s), enabling the petitioner to take further appropriate action, in accordance with law.

We clarify that we have not expressed any opinion on the issue, subject matter of the *lis* and leave it open for the adjudicatory authority to take a decision on the petitioner's application, which the petitioner shall be filing afresh, based on the information supplied to him, in accordance with law.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	17.07.2021
Transmission Date	

