

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4008 of 2021

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Amresh Kumar Sharma, Son of Late Ramchandra Sharma, Proprietor of M/s Vishwakarma Saw Mill, Gandhi Chowk, Tajpur, P.S. - Tajpur, District-Samastipur.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vinay Mistry, Advocate
For the Respondent/s	:	Mr.Sarvesh Kumar 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).

“ (i) For issuance of writ in nature of mandamus directing the Respondent No. 2 State Level Committee of Wood Based Industries, Bihar to grant approval to the Licensing Officer -Respondent No. 3 to accept the application for renewal of the license bearing License No. 106 of 1999 and to renew the license in accordance with law as the petitioner has already filed his detailed representation before the State Level Committee on 10.01.2020 (Annexure-P/6) and the same is still pending for consideration.

(ii) For issuance of writ in the nature of mandamus directing the respondents not to take any coercive steps against the petitioner till the disposal of the

representation dated 10.01.2020 in the facts and circumstances of the case.

(iii) For an other relief reliefs which this Hon'ble Court may grant in general interest that mas he deemed appropriate and necessary in this case.”

After the matter was heard for sometime, learned counsel for the petitioner submits that the petitioner shall be content if a direction is issued to Respondent No. 2, namely, The State Level Committee of Wood Based Industries-cum- the Principal Chief Conservator of Forest Bihar, Patna, to consider and decide the representation to be filed, within a period of three months from the date of its presentation.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

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.

The petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

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