

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1964 of 2021

Sumant Kumar, Son of Rajendra Mistri, Resident of Village- Harna-Injor,
P.S.- Rampur Chauram, District- Arwal.

... .. Petitioner/s

Versus

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

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, G.P.-14

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-12-2021

Heard learned counsel for the parties.

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

“1. (i) For issuance of a writ in the nature of Mandamus directing the Respondent No. 2 - Chairman of State Level Committee for Wood-based Industries, Bihar to dispose of the petition dated 25.1.2017(Annexure-3) filed by the petitioner for grant of license under Bihar Saw Mills (Regulation) Act, 1990 in terms of the order dated 5.10.2015 passed by the Hon'ble Supreme Court in Writ Petition (Civil) No. 202 of 1995 as the State of Bihar vide Memo No.



406 dated 3.12.2015 has already constituted State Level Committee under the Chairmanship of the Principal Chief Conservator of Forest, Bihar.

(ii) For issuance of a writ in the nature of mandamus directing the Respondents not to take any coercive action against the petitioner till the disposal of the petition dated 25.1.2017 in the facts and circumstances of the case.

(iii) For issuance of such other writ(s), order(s), direction(s) as your Lordships may deem fit and proper.”

Learned counsel for the petitioner states that his objection petition, as addressed to the Chairman of the State Level Committee of Wood-based Industries-cum-Principal Chief Conservator of Forest, Bihar, Patna (Annexure-P/3 Page No. 24) is still pending.

If that were so, learned counsel for the State is not in a position to verify such fact.

Be that as it may, the limited prayer, which the petitioner makes, is for disposal of the said objection petition (Annexure-P/3 Page- No. 24).

As such, we dispose of the present petition with direction to the authority concerned to positively consider and decide the objection petition (Annexure-P/3), if not already



decided, expeditiously, preferably within a period of two months from the date of presentation of a copy of this order before the authority concerned. Liberty also reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law. It is made clear that we have not expressed any opinion on merits and all issues of fact and law are left open.

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	10.12.2021
Transmission Date	

