

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2336 of 2021

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Mithlesh Chaudhary son of Late Sheo Bachan Chaudhary Resident of Village-
Darekhap, P.S.- Nasriganj, 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. Anant Pd. Singh, SC-15

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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. 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. 03/2020 within a specific period which has been filed on behalf of the petitioner on 27.08.2020 before the Respondent no. 2 for setting aside the order dated 12.02.2020 passed by Respondent no. 3 in Confiscation Case No. 43/2019(A) arising out of



Forest Case No. 26 of 2019 in which the truck of the petitioner bearing Registration No. BR-24GA-7231 has been seized and further for directing the Respondent no. 2 to release the truck of the petitioner during the pendency of appeal.”

The limited prayer which the petitioner makes is expeditious disposal of the appeal, pending before the Appellate Authority.

Learned counsel for the respondents could not state as to whether the said appeal, filed in the year 2020, is yet pending or not.

Be that as it may, the present petition is disposed of in the following terms:-

(a). Petitioner shall appear before the Appellate Authority on 4th of January, 2022 and place on record a copy of the order;

(b) The Appellate Authority shall consider and decide the petitioner's appeal by passing a reasoned and speaking order, within a period of eight weeks from the date of presentation of a copy of this order before the Appellate Authority;

(c) Equally, liberty reserved to the parties to take



recourse to such other remedies as are otherwise available in accordance with law;

(d) 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;

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

(f) Liberty reserved to the petitioner to challenge the order, before the appropriate forum, if required and desired.

The instant petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	10.12.2021
Transmission Date	

