

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2426 of 2021

M/s Hindustan Timber Works, New By-Pass Road, Changar, Kankarbagh, P.S.-Kankarbagh, District-Patna, a Proprietorship Firm through its Proprietor Jaishree Sharma, Aged about 39 Years (Male), Son of Shyam Bihar Mistri, Resident of New By-Pass Road, Changar, Kankarbagh, P.S.-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Environment and Forest, Government of Bihar, Patna.
2. The Chairman, State Level Committee of Wood Based Industries, Bihar-Cum- Principal Chief Conservator of Forest, Bihar.
3. The Licensing Officer-Cum-Divisional Forest officer, Patna Forest Division, Patna.
4. Geeta Sharma Wife of Late Ramendra Sharma Resident of Mohalla-Colony More, Kankarbagh, P.S.-Kankarbagh, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar, Advocate Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. Sarvesh Kumar Singh, AAG-13

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

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-12-2021

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

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| (i) | For issuance of a writ in the nature of mandamus directing the Respondent No. 2 - Chairman, State Level Committee of Wood Based Industries, Bihar-cum-Principal Chief Conservator of Forest, Bihar to grant approval to the Licensing Officer to renew the license bearing License No. 153 of 1995 in favour of the petitioner as the State Level Committee has taken a decision in the minutes dated 26.09.2020 that license of saw mills be renewed in accordance with law. |
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(ii)	For issuance of a writ in the nature of mandamus directing the Respondent no. 3 - Licensing Officer to drop the proceeding on the representation of the Respondent No. 4 - Geeta Sharma dated 11.6.2019 till such time the matters are finally decided by the State Level Committee of Wood Based Industries, Bihar, Patna.
(iii)	For issuance of a writ in the nature of mandamus directing the Respondents not to take any coercive
	action against the saw mill running under the control and possession of the petitioner in the facts and circumstances of the case.
(iv)	For issuance of other writ(s) order(s) direction(s) as your Lordships may deem, fit and proper in the facts and circumstances of the case.

After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the request/objection petition which the petitioner shall be filing within a period of four weeks from today.

Learned counsel for the respondents has no objection to the same.

As such, the present petition is disposed of in the following terms:-

(a). Petitioner shall file his request/objection



petition before the authority concerned within a period of four weeks from today along with a copy of this order;

(b) The said authority shall consider and decide the same, in accordance with law, by passing a reasoned and speaking order, within a period of eight weeks from the date of filing of the request/objection petition before the authority concerned, of course after complying with the principles of natural justice;

(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 sands 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	

