

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3542 of 2021

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Amit Kumar Son of Nand Kishor Singh Resident of Mohalla- Gandhi Nagar,
Sasaram, P.S.- Sasaram (T), 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. Sarvesh Kr. 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 MR. JUSTICE S. KUMAR)

Date : 14-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

“For issuance of an appropriate writ in the nature of mandamus or any other writ/writs, order/orders, direction/directions, command/commands directing the respondent no.3 to release the Haiva (HGV) bearing registration No.BR02GA 1240, Chassis No.MAT448074D3E51904 and Haiva (HGV) bearing registration No.BR02GA 1241, Chassis No.MAT-448074D3E51962 in connection with confiscation case No.99 of 2020 arising out of Forest Case No.70 of 2020 under Sections 33, 41 and 42 of Forest Act.”

It is submitted by learned counsel for the State that

final order dated 01.02.2021 (Annexure-R/4 of counter affidavit) has been passed by the confiscating authority in Confiscation Case No.99/2020(A+B) arising out of Forest Case No. 70 of 2020 as such present writ petition for provisional release of vehicle has become infructuous.

As such, writ petition is disposed of with liberty to the petitioner to avail the remedy of appeal against the final order dated 01.02.2021 passed by the Confiscating Authority in confiscation case no.99/2020(A+B) arising out of Forest Case No.70 of 2020.

If any such appeal is filed within four weeks Appellate authority shall condone the delay in filing the appeal, as the matter remained pending before this Court and shall decide the Appeal on its own merit within 8 weeks from the date of filing of such appeal and after affording reasonable opportunity to all parties concerned.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.12.2021
Transmission Date	NA

(S. Kumar, J)