

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3991 of 2021

1. Rajesh Kumar, Son of Late Ramchandra Singh, Resident of Village-Dhanaur Katra, P.S.-Katra, District-Muzaffarpur.
2. Rajnish Kumar Singh, Son of Late Ramchandra Singh, Resident of Village-Dhanaur Katra, P.S.-Katra, District-Muzaffarpur.

... .. 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, Tirhut Forest Division, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry, Advocate
For the Respondent/s : Mr.Lalit Kishore (A.G.)

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

Date : 14-12-2021

Petitioners have prayed for the following relief(s):-

“(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 29.09.2020 (Annexure-3) filed by the petitioners for grant of license under Bihar Saw Mills (Regulation) Act, 1990 in terms of the order dated 05.10.2015 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 03.12.2015 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 petitioners till the disposal of petition dated 29.09.2020 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 petitioners submits that petitioners shall be content if a direction is issued to Respondent No. 2, namely, Principal Chief Conservator of Forest-Cum-Chairman of State Level Committee for Wood-based Industries, Bihar, Patna, to consider and decide the petition filed by the petitioners on 29.09.2020 (Annexure-3) within a period of three months from the date of receipt/production of a copy of this order.

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 petitioners shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

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

We are hopeful that as and when petitioners take 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)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	