

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3145 of 2020

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Raj Kumar Chaudhary, S/o Late Rajendra Chaudhary, Resident of Village-
Mahua Mukundpur, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Forest and Environment
Department, Bihar, Patna.
2. The Principal Chief Conservator of Forest Bihar, Patna.
3. The Conservator of Forest Siwan Anchal, Siwan.
4. The Divisional Forest Officer Saran Division, Saran at Chapra.
5. The Divisional Forest Officer Vaishali Division, Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Respondent/s : Mr.Awanish Nandan Sinha (GP21)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted by Hon'ble the Chief
Justice/ Hon'ble Judges through Video Conferencing from their residential
offices/residences. Also, the Advocates and the Staffs joined the proceedings
through Video Conferencing from their residences/offices.)

Date : 11-02-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“ 1.That this is an application for issuance
of an appropriate writ, order or direction,
directing the respondent concern to
consider the case of petitioner for renewal
of license of Saw Mill in the light of order
dated 29.08.2013 passed by the conservator
of Forest, Siwan Anchal, Siwan and renew
his license or pass necessary order in
accordance with law.

And for this the petitioner found to be

entitled in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order. Statement accepted and taken on record.

As such, petition stands disposed of on the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;

(c) The order assigning reasons shall be communicated to the petitioner;

(d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(f) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(g) 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;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All issues are left open;

(j) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e.

physical mode;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	