

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2863 of 2022

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M/S Sitaram Saw Mill, Nasariganj, P.S. Nasariganj, District-Rohtas a proprietorship firm through its proprietor Subhash Prasad, aged about 68 years, son of Sitaram Prasad, Resident of Ward No. 6, Nasariganj, P.S. Nasariganj, District-Rohtas.

... .. 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 for Wood-Based Industries, Bihar-cum-Principal Chief Conservator of Forest, Bihar, Patna.
3. The Conservator of Forest-cum-Appellate Authority, Patna Circle, Patna.
4. The Licensing Officer-cum-Divisional Forest Officer, Rohtas Forest Division, Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vinay Mistry, Advocate Mr. Sanket, Advocate
For the Respondent/s	:	Mr. Anant Pd. Singh (Aag15) Mr. Sanjay Kumar, AC to SC 15

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

2 30-03-2022 Heard Mr. Vinay Mistry, learned counsel for the petitioner, as also Mr. Sanjay Kumar, AC to SC 15 on behalf of the State.

Petitioner has prayed for the following relief(s):

“(i) For issuance of a writ in the nature of mandamus directing the Respondent No. 4- Licensing Officer-cum- Divisional Forest Officer, Rohtas Forest Division, Sasaram to restore and renew the saw mill license bearing License No. 47 of 1995 of the petitioner in terms of section-19 of the Bihar Saw Mills



(Regulation) Act, 1990 for which the petitioner has filed a detailed representation before the Licensing Officer-Cum-Divisional Forest Officer, Rohtas Forest Division, Sasaram on 20.12.2021 as contained in Annexure-2 to this writ application and the same is still pending for consideration before the Licensing Officer.

ii) For issuance of a writ in the nature of mandamus directing the respondent authorities not to disturb the operation of saw mill under the control and possession of the petitioner till such time the matter is decided by the Licensing Officer and the same is approved by the State Level Committee for Wood-Based Industries, Bihar, Patna in the facts and circumstances of the case.

iii) 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.”

It is fairly submitted on behalf of the petitioner that for redressal of his grievance the petitioner has filed his application before Respondent No. 4, namely The Licensing Officer-Cum-Divisional Forest Officer, Rohtas Forest Division, Sasaram on 20.12.2021, but the same has not been considered as yet.

Having considered the nature of the grievance, the respondent No.4 is directed to dispose of the representation of the petitioner within six weeks by a reasoned and speaking order.

The petitioner is at liberty to assail the order, if



feels aggrieved.

With the aforesaid liberty, petition is disposed of.

Interlocutory application(s), if any, shall also
stand disposed of.

(Sanjay Karol, CJ)

(Harish Kumar, J)

Shakir/Sujit

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