

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6738 of 2021

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Manju Devi Wife of Madan Kumar Singh resident of N.P.C.C. Colony,
Balmiki Nagar, P.s.- Balmiki Nagar, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Environment and Forest, Govt. of Bihar, Patna
2. The District Magistrate-cum-Collector, West Champaran , Betiya
3. The Authorized Officer -cum- Forest Division and Officer -cum- Deputy Director, Balmiki Beyaghra Arekshaya Pramandal-2, Balmiki Nagar, Betiya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP 14

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

Date : 04-01-2022

Heard learned counsel for the parties.

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

1. That present petition is being filed for release the Tractor bearing registration No. BR-22GA-8566 (Swaraj Tractor Model No. 735FE, Chassis No.WZTK30427139680, Engine No. 39135/HH009951A and Trolley of the said Tractor which has been seized and confiscated vide order dated 18.11.2020 passed by respondent No. 3, without notice / hearing to the petitioner.



Learned counsel for the petitioner states that petitioner's appeal is pending before the Appellate Authority and petitioner shall be content if a direction is issued for expeditious disposal of the same.

Learned counsel for the respondents states that since the appeal is of the year 2020, the same shall be considered and decided within a period of three months from the date of appearance of the petitioner before the Appellate Authority along with a copy of this order.

Statement accepted and taken on record.

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

(a) Petitioner shall make himself available before the Appellate Authority on 17th of January, 2022;

(b) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Appellate Authority shall decide the appeal on merits, in compliance of the principles of natural



justice;

(f) The Appellate Authority shall pass a reasoned and speaking order, within a period of three months from the date of appearance of the petitioner before the Appellate Authority;

(g) Copy of the order passed by the Appellate Authority shall be supplied to the parties;

(g) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(h) 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;

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

(j) Liberty reserved to the petitioner to assail the order, before the appropriate forum, should the need so arise subsequently.

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands



disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/KC Jha

AFR/NAFR	
CAV DATE	
Uploading Date	07.01.2022
Transmission Date	

