

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7460 of 2022

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Rakesh Kumar Singh, aged about 33 years, (Male), Son of Ashok Prasad Singh, R/o Village - Narhan, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar, Patna.
2. The Chief Conservator of Forest Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Divisional Forest Officer-cum-Authorized Officer, Samastipur, Forest Division, Samastipur.
5. The District Forest Officer Samastipur.
6. The Forestor, Bithan, Rosera Forest Circle, District - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate
For the Respondent/s : Mr. Anant Pd. Singh, SC 15

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 26-08-2022 The matter has been heard *via* video conferencing.

The petitioner has prayed for issuance of writ in the nature of mandamus to release his vehicle/tractor which was seized under Sections 33, 41, 42, 52 and 64 of the Indian Forest Act, 1917 and Bihar Amendment Act, 1990. According to the petitioner, no notice has been served on him till date. As a result, his vehicle is getting dilapidated in the premises of the forest official.

We have put a query to learned counsel for the



petitioner whether he shall appear before the concerned authority and present his case. He is agreeable to this proposal.

Under the circumstances, we dispose off the writ petition with a direction to the forest authorities to dispose off the case at the earliest. The petitioner shall also be at liberty to move an application for release of vehicle during the pendency of the proceedings which shall be dealt with on priority, in any case, not later than 10 days.

(Rajan Gupta, J)

(Dr. Anshuman, J)

P. Kumar

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