

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14260 of 2021

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Brijesh Kumar Singh @ Brajesh Kumar Singh, Son of Virendra Singh,
Resident of Village- Gobina, Police Station- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Forest Department,
Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest
Division, Sasaram, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajani Kant Singh, Advocate
For the Respondent/s	:	Mr.Sarvesh Kr. Singh (AAG-13)

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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 through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 13-01-2022

Heard learned counsel for the parties.

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

“That, the petitioner craves indulgence of this Hon’ble
Court for issuance of an appropriate writ in the nature
of mandamus or any other writ/writs, order/orders,
command/commands, directing the respondent no. 3 to
provisionally release the truck of the petitioner bearing
Registration No. UP65AR4195 in connection with
Confiscation Case No. 31 of 2021, arising out of
Forest Case No. 17 of 2021 under Sections 33, 41 and
42 of the Forest Act.”

It is submitted on behalf of counsel for the respondents/state

that during pendency of this writ petition, the final order of confiscation has been passed by the Confiscating Authority-cum-District Forest Officer, as such, the present petition for provisional release of truck has become infructuous.

The writ petition is disposed of with a liberty to petitioner to file an appeal before the appellate authority within four weeks and, if any, such appeal is filed within four weeks, the delay in filing appeal shall be condoned and the District Magistrate-cum-Appellate Authority shall decide the appeal on its own merit within eight weeks from the date of filing of such appeal.

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	