

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14278 of 2021

Kamlesh 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

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Respondent/s : Mr. Raghwanand (Ga11)

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 : 17-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

1. 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. UP65AR7451 in connection with Confiscation Case No.38 of

2021, arising out of Forest Case No.24 of 2021 Under Sections 33, 41 and 42 of the Forest Act.

Counter affidavit has been filed on behalf of the State wherein it has been stated that final order of confiscation has been passed by the Divisional Forest Officer-cum- Authorized Officer, as such present writ petition for interim release of vehicle has become infructuous.

As such, petitioner is granted liberty to avail the remedy of appeal against the confiscation order passed by the Divisional Forest Officer-cum- Authorized Officer before the appellate authority and if any such appeal is filed within 30 days from today, the appellate authority shall condone the delay in filing the appeal as the matter has remained pending before this Court and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

Sanjay/-

(S. Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.01.2022
Transmission Date	NA