

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10160 of 2022

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Anuj Sharma, aged about 44 years (male), son of Raja Ram Sharma, Resident of Village-Charan Bigha, P.S.-Mali, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment and Forest Department, Government of Bihar, Patna.
2. The Principal Chief Conservator of Forest-cum-Chairman of State Level Committee for Wood based Indu of State Level Committee for Wood based Industries, Bihar, Patna.
3. The Licensing Officer-cum-Divisional Forest Officer, Aurangabad Forest Division, Aurangabad.
4. The Forester, Nabinagar, P.S.-Nabinagar, District

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13

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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 filed a writ in the nature of certiorari for quashing the order of seizure dated 23.06.2022 made by the Forester, Nabinagar, Aurangabad whereby the saw mill along with Chiran Patra of the petitioner have been seized under Section 8 of the Bihar Saw Mills Regulation Act, 1990. His contention is that no power is vested in the forester to take this action. He has relied upon a judgments annexed with the petition as Annexures 1 and 3. He may file a fresh



representation before the Divisional Forest Officer in this regard. He is at liberty to rely upon the judgment delivered by the High Court. The Divisional Forest Officer shall take a decision on the representation within 10 days. If he finds substance in the argument of the petitioner, he will take appropriate action immediately.

(Rajan Gupta, J)

(Dr. Anshuman, J)

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