

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15577 of 2021

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Pintu Kumar Son of Moti Sah, Resident of Village - Amara Talab, P.S. -
Sasaram (M), District – Rohtas. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, 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.Dhurjati Kr. Prasad (Gp14)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 01-02-2022

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 provisional release of the two trucks bearing Registration No.BR-24G1309, Chassis No.MAT 39652292G10261 and Registration No.MP53HA/0265, Chassis No.396522FSZ

215010 in favour of the petitioner in connection with Forest Case No.27 of 2021 for the offence 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 dated 18.09.2021 of confiscation has been passed by the Divisional Forest Officer-cum- Authorized Officer, Rohtas Forest Division, Sasaram, 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	03.02.2022
Transmission Date	NA