

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15658 of 2021

1. Awadh Narayan Singh, Son of Shri Kamlesh Singh Resident of Village - Majharia Tola- Prasauni, P.O. Manjharia, Police Station- Bhairoganj, District- West Champaran.
2. Bhup Narayan Singh Son of Late Ramchandra Singh Resident of Village - Banbaria, P.O. Jamunia, Police Station- Sahodra, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Forest Department, Government of Bihar, Patna.
2. The Divisional Forest Officer, Bettiah, West Champaran.
3. The Forest Range Officer, Manguraha, Range Anchal Gawnaha, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anand Kishore Choudhary, Advocate
For the Respondent/s	:	Mr. Sarvesh Kumar Singh (AAG-13)

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 : 20-01-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

“That this is an application for issuance of an appropriate writ and/or directing/restraining the Respondents from interference into the enjoyment of the petitioners over their land close to the forest known as Valmiki Tiger Forest. The details of the land over which the petitioner’s enjoyment and their possession is being interfered by the Respondents is

in Khata No. 3, Plot No. 63, Area 4.93 decimals, mauja No. 188, in village Shembhupur in the district of West Champaran.”

3. After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned or any of the statutory authority to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

4. Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

5. Statement accepted and taken on record.

6. As such, petition stands disposed of in the following terms:-

- (a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);
- (b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking

order preferably within a period of four months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(e) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(f) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(g) Liberty reserved to the petitioner to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

(h) We have not expressed any opinion on merits. All

issues are left open;

- (i) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

7. The petition stands disposed of in the aforesaid terms.

8. Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	