

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19159 of 2021

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Sanjay Kumar Son of Late Upendra Thakur Resident of Village- Basantpatti,
Police Station- Purnahia, District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, State of Bihar, Patna.
2. The Secretary, Forest Department, State of Bihar, Patna.
3. The Commissioner, Tirhut Ranhe, Muzaffarpur.
4. The Chief Conservator of Forest, Bihar, Patna.
5. The Conservator of Forest, Muzafferpur Circle, Muzafferpur, Bihar.
6. The Chairman, Sheohar District Saw Mill License Committee.
7. The Divisional Forest Officer, Sheohar, District- Sheohar, Bihar.
8. The Forest Range Officer, Sheohar, District- Sheohar, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh, Adv
For the Respondent/s : Mr.Raghwanand (GA11)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice /Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences /offices.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 11-02-2022

Heard learned counsel for the parties.

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

“(A) For issuance of a writ in the nature of Mandamus or any other appropriate writ directing the respondents to issue license for running saw mill to the petitioner after death of his father who has been ordered by learned District Judge, Sheohar, for grant of Saw Mill License vide order dated 21.12.2018 in Misc. Case No. 03 of 2013 and petitioner's application after death of his father

is pending before the respondent authority.

(B) For issuance of a writ in the nature of Mandamus or any other appropriate writ directing the respondents to grant/allow/accord permission to keep his saw mill operational during pendency of this case.”

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 **respondent no. 7 Divisional Forest Officer, Sheohar**, 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).

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.

Statement accepted and taken on record.

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

(a) Petitioner shall approach the authority concerned 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 three months from the date of its filing along with a copy of this order;

(c) The order assigning reasons shall be communicated to the petitioner;

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

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

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

(g) 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;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All issues are left open;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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