

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18713 of 2019**

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Smt. Sukhiya Devi @ Surati Devi, aged about 89 years, female, W/o late Nathuni Thakur, R/o Lakhnauri, Mohabatpur P.S.- Devaria Kothi District- Muzaffarpur owner of M/S Laxmi Saw Mill situated at, Village- Bishunpur Saraiya, P.S. and Post- Kevaria Kothi District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar Patna.
2. The Principal Chief Conservator of Forest, Technology Bhawan, Bailey Road, Patna.
3. The Regional Chief Conservator of Forest, Bihar, Muzaffarpur.
4. The Conservator of Forest, Forest Circle Muzaffarpur.
5. The Prescribed Authority cum Conservator of Forest cum Addl. Director, North Bihar, Hariyali Mission, Department of Environment, Forest and Climate Change, Bihar Patna.
6. The Licensing Authority cum Divisional Forest Officer, Tirhut Forest Division, Muzaffarpur.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner | : | Mr. Alok Kumar Agrawal, Advocate |
| For the State      | : | Mr. Prabhat Kumar, AC to GA 11   |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**and**  
**HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)**

**Date : 02-01-2023**

Heard Mr. Alok Kumar Agrawal, learned counsel for the petitioner and Mr. Prabhat Kumar, learned AC to GA 11 for the State.



2. The petitioner has moved the Court for the following relief:

*“That this application is for issuance of appropriate writ/ writs for setting aside the Order dt. 25.06.2019 passed in Appeal no.- 31 of 2015 and Order bearing memo no.- 230 dt.- 2.02.2015 by Respondent no.-5 and 6 respectively whereby and where under Saw Mill License of Petitioner has been cancelled wrongly and illegally and further direction to Respondent no.-6 to renew the License up-to-date, in the interest of justice.”*

3. After some arguments, learned counsel for the petitioner submits that a new advisory has come from the Central Government with regard to the total number of Saw Mills allowed and feasible in the State of Bihar for which the authorities are now required to take fresh steps for issuing of license. It was submitted that he may be permitted not to press the writ application with liberty to apply afresh for license for a Saw Mill before the competent authority/ forum for consideration of grant of license to her which may be done without outcome of the present proceeding.

4. Learned counsel for the State does not object.

5. Having regard to the aforesaid, the writ petition stands disposed of with liberty aforesaid.

6. If the petitioner applies before the competent authority/ forum for grant of license with regard to a Saw Mill, the



same shall be considered, in accordance with law, without being prejudiced by the present order.

**(Ahsanuddin Amanullah, J)**

**(Harish Kumar, J)**

Ranjeet/Anjani-

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