

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10361 of 2022

1. Mittal Kumar Sharma Son of Late Bindu Sharma Resident of Village- Tikri Road, Sahpur, P.S.- Aurangabad, District- Aurangabad.
2. Ramjit Sharma Son of Sri Sheo Sharma Resident of Village- Janakpur, P.S.- Nabinagar, District- Aurangabad.
3. Janeshwar Prasad Son of Late Rambilash Ram Resident of Village-Baroom, P.S.- Baroom, District- Aurangabad.
4. Ram Pravesh Mistri Son of Late Faguni Sharma Resident of Village-Ratikhap, P.S.- Amba, District- Aurangabad.
5. Upendra Mehta Son of Sri Nain Mehta Resident of Village- Khaira Tola, P.S.- Khushihalpur, P.S.- Kutumba, District- Aurangabad.
6. Pinki Vishwakarma Wife of Manoj Vishwakarma Resident of Village-Kumhar Toli, Rajauli, P.S.- Rajauli, District- Nawada.
7. Sarita Devi Wife of Late Jagdish Prasad Resident of Village- Bhagwanpur, P.S.- Pakribarawan, District- Nawada.
8. Sagar Malakar Son of Sri Jhari Malakar Resident of Village- Manpur Kumhartoli, P.S.- Mufassil, District- Gaya.
9. Birendra Prasad Son of Late Narayan Prasad Resident of Village- Raniganj Imamganj, P.S.- Imamganj, District- Gaya.
10. Raj Kumar Mistri Son of Late Basant Mistri Resident of Village- Dumari Chatti, P.S.- Fatehpur, District- Gaya.
11. Ganesh Sharma Son of Late Raghunandan Sharma Resident of New Dili Dehri On Sone, P.S. Dehri On Sone, District- Rohtas.
12. Md. Moinuddin Son of Late Azizur Rahman Resident of Ward No. 12/20, Sisauna, P.S.- Araria, District- Araria.
13. Ram Charitra Sharma Son of Late Lakhan Sharma Resident of Parwaha, P.S.- Forbisganj, District- Araria.
14. Md. Tahir Hussain Son of Late Gulam Mustafa Resident of Village-Dhanpura, P.S.- Jokihat, District- Araria.
15. Md. Masuood Alam Son of Late Shamshul Arphin Resident of Village-Belwaghat Tola, P.S.- Araria, District- Araria.
16. Pradeep Singh Son of Late Ramdeo Singh Resident of Village- Belwaghat Tola, P.S.- Araria, district- Araria.
17. Md. Hasnain Son of Late Maniruddin Resident of Village- Rahmatpara, Kochadhaman, P.S.- Kochadhaman, District- Kishanganj.
18. Binod Mistri Son of Late Rampati Mistri Resident of Village- Mubarakpur, P.S.- Kurtha, District- Arwal.
19. Munna Mistri Son of Late Shatrudhan Mistri Resident of Village- Kurtha, P.S.- Kurtha, District- Arwal.
20. Mungeshwar Mistri Son of Late Chandradeo Mistri Resident of Village-Khairadih, P.S.- Kurtha, District- Arwal.



21. Suresh Sharma Son of Godhan Sharma Resident of Village- Kitapur, P.S.- Jagdishpur, District- Bhojpur.
22. Shashibhushan Singh Son of Raj Balam Prasad Resident of Village- Amai, P.S.- Hasan Bazar, District- Bhojpur.

... .. 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, Bihar, Patna.
3. The State Level Committee for Wood-based Industries, Bihar, Patna.
4. The Licensing Officer-cum-Divisional Forest Officer, Aurangabad Forest Division, Aurangabad.
5. The Licensing Officer-cum-Divisional Forest Officer, Forest Division, Gaya.
6. The Licensing Officer-cum-Divisional Forest Officer, Nawada Forest Division, Nawada.
7. The Licensing Officer-cum-Divisional Forest Officer, Araria Forest Division, Araria.
8. The Licensing Officer-cum-Divisional Forest Officer, Rohtas Forest Division, Sasaram.
9. The Licensing Officer -cum- Divisional Forest Officer, Bhojpur Forest Division, Ara- Bhojpur.
10. The Ranger, Gaya Gurpa, Barachatti, Imamganj, Atri, Sherghatti and Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vinay Mistry, Advocate
For the Respondent/s : Mr.Sanjay Kumar, AC to SC 15

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

8 28-03-2024 Heard Mr. Vinay Mistry, learned counsel appearing on behalf of the petitioners and Mr. Sanjay Kumar, learned AC to SC 15 for the State.

2. Mr. Vinay Mistry, learned counsel appearing on behalf of the petitioners, at the outset, submitted that he will not press on merit of the case, considering the fact that in light of



judgement passed by the Apex Court in case of **T.N. Godavarman Thirumulpad vs Union Of India & Ors.** reported in **WP(C)No.202 of 1995** and interim orders passed from time to time and the State Level Committee is functional under the Chairmanship of the Principal Chief Conservator of Forests, to look into the matter with respect to the wood based industry, he seeks to file detailed representation before the Committee.

3. It has been informed vide notification dated 21.07.2020, the sustainable capacity of wood based industry has been found to be 3200 and the said notification has been issued by the State Government. The petitioners, who are prospecting to earn their livelihood, being engaged in wood industries and having acumen to run the sawmill, may file their detailed individual representation before the State Level Committee, so that their case may be considered, if required numbers of sawmills, which have been proposed by the State Government, have not been filled up or the notification concerned has been rectified by any subsequent Government's decision.

4. The State Level Committee is directed to consider each individual application of the petitioners, based on sustainable capacity of the wood based industry in state of



Bihar, specially in the light of direction of the Apex Court and Central Empowered Committee passed with respect to the wood based industries form time to time in case of **T.N. Godavarman Thirumulpad (Supra)**. The decision is required to be taken within a period of 8 weeks.

5. In the above mentioned facts and circumstances, the present writ petition stands disposed of.

(Purnendu Singh, J)

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