

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15233 of 2019

Shiv Jee Kumar Son of Dasai Yadav R/o Village-Gudha Pattar, P.S.-Udwant
Nagar, District-Bhojpur at Ara, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Forest and Environment Department, Government of Bihar, Patna
3. The District Magistrate, Rohtas at Sasaram.
4. The Officer-cum-Divisional Forest Officer Rohtas at Sasaram.
5. The Forest Officer Tilauthu, Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate.
For the State : Mr.Dhurjati Kr. Prasad (Gp14)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 28-03-2024 Heard Mr. Babu Nandan Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Dhurjati Kumar
Prasad, learned GP-14 for the State.

2. Mr. Dhurjati Kumar Prasad, learned counsel
appearing on behalf of the State submits that vide order dated
21.09.2023, the State- respondents were directed to give status
of Revision Case No. 30 of 2018 pending before the Principal
Secretary, Forest and Environment Department, Government of
Bihar, Patna. The State counsel further submits that the
Revision Case No. 30 of 2018 has been disposed of vide order
dated 05.05.2020.



3. Considering the aforesaid information, the present writ petition is disposed of with direction to the District Magistrate, Rohtas to give opportunity to the petitioner considering the fact that pursuant to the confiscation order dated 17.09.2016 passed in Confiscation (Forest) Case No. 56 of 2016, the confiscation order dated 17.09.2016 was upheld vide order dated 22.05.2018 passed in Confiscation (Forest) Appeal No. 67 of 2016 by the appellate authority – District Magistrate, Rohtas at Sasaram and finally the Revisional Authority has also upheld the order of confiscation dated 17.09.2016 passed in Revision Case No. 30 of 2018 vide order dated 05.05.2020.

4. As a consequence of the order dated 05.05.2020 passed in Revision Case No. 30 of 2018 by which the Revisional Authority has upheld the order passed by the Authorized Officer cum Divisional Forest Officer having been affirmed by the Appellate Authority – The District Magistrate, the vehicle bearing Registration No. JH-05AB/4575 along with forest produce is required to be auctioned. The petitioner has shown his desire that he may be given preference in the bidding process considering the fact that the aforesaid vehicle is registered in his name, in case the petitioner don't desire to pursue remedy provided under the Indian Forest Act.



5. The writ petition is, accordingly, stands disposed
of.

(Purnendu Singh, J)

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