

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13389 of 2022

1. Qaiser Neyazi Son of Md. Ishahak, Resident of Village-Biratpur, P.S. Aurangabad, District-Aurangabad.
2. Shanti Devi, Wife of Ram Briksh Mistri, Resident of Village-Fatua Chak, P.S. Gurua, District-Gaya.
3. Surendra Sharma, Son of Late Rajeshwar Sharma, Resident of Village-Hatimganj-Khaira, P.S.-Sahar, District-Bhojpur.
4. Mukesh Kumar Azad, Son of Mundrika Singh, Resident of Village Nonaur, P.S.-Sahar, District-Bhojpur.
5. Balendra Mistri, Son of Ram Briksh Mistri, Resident of Village-Fatua Chak, P.S.-Gura, District-Gaya.
6. Krishna Kumar Singh, Son of Late Bikram Singh, Resident of Village-Nawadih, P.S. N.T.P.C. Khaira, District-Aurangabad.

... .. 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, Gaya Forest Division, Gaya.
6. The Licensing Officer-cum-Divisional Forest Officer, Bhojpur Forest Division, Ara-Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the State : Ms. Anamika Kumari, AC to Ex. GP-21.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 22-04-2024

Heard Mr. Vinay Mistry, learned counsel appearing
on behalf of the petitioners and Ms. Anamika Kumari, learned
counsel 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 the judgment passed by the Apex Court in case of **T.N. Godavarman Thirumulpad vs Union of India & Ors. (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.)

Mantreshwar/-
Ashishsingh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.04.2024
Transmission Date	NA

