

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12607 of 2023

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Ateesh Kumar Son of Jayram Sharma Resident of Village and P.O.-Rajkhar,
Police Station-Duddhi, District-Sonbhadra (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environ-Ment, Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram
3. The Divisional Forest Officer-Cum-Authorized Officer, Rohtas Forest Division, Sasaram, District-Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Respondent/s : Mr.Raghwanand (Gall)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2024 Heard the parties.

2. The present petition has been preferred for issuance of an appropriate writ in the nature of mandamus or any other writ/writs, order/orders, direction /directions command/commands directing the provisional release of the Tipper (Mini Truck) bearing Registration No. UP64BT2243 in favour of the petitioner in connection with Forest Case No.10 of 2023 corresponding Confiscation Case No.21 of 2023 to the satisfaction of Learned Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Sasaram, District-Rohtas within a specified period.

3. At the outset, learned State Counsel submits that



the Authorized Officer cum Divisional Forest Officer, Rohtas at Sasaram has passed an order on 16.09.2023 (Annexure-C to the counter affidavit) which is available under section 52A of the Indian Forest Act, 1972 (henceforth for short 'the Act').

4. Learned counsel for the petitioner submits that he shall be pursuing the the appellate remedy but there is a limitation which has passed since he was pursuing remedy before this Court.

5. In that background, the writ petition stands disposed of with an observation that if the petitioner prefers appeal within a period of four weeks from today, the Appellate Authority shall take up the limitation petition and dispose it of taking into account the fact that the petitioner was pursuing remedy before Patna High Court.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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