

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16532 of 2023

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Jitendra Kumar Chourasiya Son of Hiranman Chourasiya, Resident of Village
Deb Pokhrapar, P.O. and P.S.- Deo District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Forest Department, Government of Bihar, Patna.
2. The District Magistrate, Aurangabad, Bihar.
3. The Divisional Forest Officer, Aurangabad Division.
4. The Range Officer, Aurangabad, Range.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh, Advocate
For the State	:	Mr. Raghwanand, GA-11

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 19-06-2024

Heard Mr. Shailesh Kumar Singh, learned counsel
for the petitioner and Mr. Raghwanand, learned GA-11
appearing on behalf of the State.

2. The present writ petition has been filed for the
following reliefs;

*I. To set aside the order dated 18.07.2023
passed by District Magistrate Cum
Collector, Aurangabad (Bihar) passed in
Misc. (forest) Appeal No. 14/2023 arising
out of Forest Confiscation Case No.
07/2022 by which appeal filed by the
petitioner against the order dated
19.12.2022 passed by Divisional Forest
Officer to release his seized vehicle No.*



pick-up No. BR-02GA-4559 has been rejected.

II. For a direction to respondent authority to release his pick-up vehicle no. BR02GA-4559 which has been seized by the respondent in connection with Aurangabad Forest Case No. 14/2022 registered under Section 33(a), 41 and 42 of the Forest Act.

III. For any other order/orders on the basis of facts and circumstances stated herein after of the case.

3. Learned counsel for the petitioner submits that the pick-up vehicle in question of the petitioner was seized by the forest officer and a Forest Case No. 14 of 2022 was instituted against the petitioner and thereafter Forest Case No. 07 of 2022 was instituted with regard to the vehicle in question and notice was issued to the petitioner. The petitioner filed his reply and after considering the same order has been passed against the petitioner thereafter the petitioner has challenged the same in the present writ proceeding.

4. Learned counsel for the State filed a detailed counter affidavit stating therein that after giving due opportunity to the petitioner, the order has been passed in the aforesaid proceeding and only remedy against the confiscation proceeding is that the petitioner may file a revision petition before the



Principal Secretary, Forest and Environment Department,
Government of Bihar, Patna as per Section 52B of the Indian
Forest (Bihar Amendment, 1990) Act, 1927.

5. In view of the aforesaid, the writ petition is
disposed of with the liberty to the petitioner to move before the
respondent no.1 i.e. the Secretary, Forest Department,
Government of Bihar, Patna and file a revision petition before
the respondent no.1, who is reviewing authority, and the
respondent no.1 is directed to consider the revision petition of
the petitioner and dispose of the same in accordance with law
within a period of three months from the date of filing of the
revision petition.

(Rajesh Kumar Verma, J)

ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.06.2024
Transmission Date	NA

