

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18158 of 2023

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1. M/s Jai Bajrang Saw Mill, Lalapur, P.S.-Kudra, District-Kaimur, a Proprietorship Firm through its Proprietor Lalan Sharma aged about 53 Years-Male, Son of Late Kabilash Sharma Resident of Village-Lalapur, P.S.-Kudra, District-Kaimur.
 2. M/s Kushwaha Saw Mill, Gheghia-Mohania, P.S.-Mohania, District-Kaimur, a Proprietorship Firm through its Proprietor Abhay Kumar Singh, aged about 45 Years-Male, Son of Sri Ram Singh, Resident of Village-Bustalwa, P.S.-Kathrain, District-Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Department of Environment, Forest and Climate Change, Government of Bihar, Patna.
2. The Principal Chief Conservator of Forest, Department of Environment, Forest and Climate Change, Government of Bihar, Patna.
3. The Licensing Officer-Cum-Divisional Forest Officer, Kaimur Forest Division, Bhabhua.
4. The Forester (Vanpal), Mohania, P.S.-Mohania, District-Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Mistry, Advocate
For the Respondent/s	:	Mr. S.D.Yadav (AAG-9)
		Mr. Anil Kr. Verma, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-09-2024 Heard Mr. Vinay Mistry, learned counsel for the
petitioner and the State.

2. The present writ petition has been preferred for the
grant of following relief/s:-

*“i) For issuance of a writ in the nature of
certiorari for quashing of the seizure list dated
05.10.2023 and 12.10.2023 (Annexure-4 series)
effected by the Forester, Mahania, Kaimur
whereby the blade of Saw and 20 & 10 pieces of*



Shisham Wood of the petitioners have been seized under Section 8 of the (Bihar Saw Mills Regulation) Act, 1990 as the Forester is not authorized to make inspection, search and seizure of saw mill under section-8 of the (Bihar Saw Mills Regulation) Act, 1990.

ii) For issuance of a writ in the nature of Mandamus directing the Respondents authorities to release the seized materials in favour of the petitioners so that the petitioners could run the business for their livelihood in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that it will suffice if he is allowed to approach the respondent no. 3, the Licensing Officer-cum-Divisional Forest Officer, Kaimur Forest Division, Bhabhua.

4. Without commenting anything on the merit of the case and granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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