

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2712 of 2022

Manoj Kumar Upadhayay Son of Paras Nath Upadhayay, Resident of Village-Ahirauli, P.S. Industrial Area, Buxar, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Environment and Forest Department, Govt. of Bihar, Patna.
2. The Principal Secretary-Cum-Revisional Authority, Environment and Forest Department, Govt, of Bihar, Patna.
3. The District Magistrate-Cum-Appellate Authority, Rohtas at Sasaram.
4. The Divisional Forest Officer-Cum-Confiscating Authority, Rohtas, District-Rohtas.
5. The Forester, Darigaon Range, Sasaram, Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Adv.
For the Respondent/s : Mr. Sarvesh Kr. Singh (Aag13)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-02-2025 Heard the parties.

2. The present application has been preferred for the following relief(s):

*(i) to issue writ/ writs,
order/orders, direction/directions including
a writ in the nature of certiorari for
quashing the order dated 28-10-2014 passed
by the Respondent D.F.O., Rohtas at
Sasaram in Forest Confiscation No. 46/2014
arising out of Forest Case no. 40F/2014 (as
contained in Annexure-2) and whereunder*



the vehicle Truck bearing Registration No. BR-44G-0422 of the petitioner has been confiscated and further to quash the order dated 11.02.2020 passed in Forest Appeal No. 15/2015 by the Respondent District Magistrate, Rohtas (as contained in Annexure-3) by which the Forest Confiscation Appeal preferred by the petitioner and he has been dismissed the Forest Appeal and also affirmed the order dated 28.10.2014 passed by the D.F.O., Rohtas at Sasaram and also to quash the Revisional Order dated 05.08.2021 passed in Forest Revision Case no. 31/2020 by the Revisional Secretary, which has already been rejected the Revision Petition of the petitioner without considering the facts and circumstances of the case of the petitioner in proper perspective (as contained in Annexure-4);

(ii) to issue a writ(s), Order(s), direction(s) including a writ in the nature of



mandamus directing the Respondents to release finally the vehicle Truck bearing BR-24G--0422 loaded thereon 500 cft. stone chips in favour of the petitioner forthwith.

3. On 12.09.2024, three weeks’ time was granted to remove the defect.

4. As the same was not removed and it being a peremptory order, the case stands dismissed on 03.10.2024.

5. Perused the file, consigned.

(Rajiv Roy, J)

Vijay Singh/-

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