

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3339 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 Secretary, 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

3 20-02-2025 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 24.12.2014 passed by the Respondent D.F.O., Rohtas at Sasaram in Forest Confiscation Case no. 95/2014 arising out of Forest case No. 71F/14 (as contained in Annexure-3) and whereunder the vehicles Truck bearing Registration No. BR-446-0196 and BR-44G3505 respectively of the petitioner



has been confiscated and further to quash the order dated 17.05.2016 passed in Forest Appeal No. 19/2015 by the Respondent District Magistrate, Rohtas (as contained in Annexure-4) by which the Forest Confiscation Appeal preferred by the petitioner and he has been dismissed the Forest Appeal and also affirmed the order dated 17.05.2016 passed by the D.F.O. Rohtas at Sasaram, and also to quash the Revisional order dated 24.06.2020 passed in Forest Revision No. 19/2016 by the Respondent 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-5).

(ii). To issue a writ(s), order(s), direction(s) including a writ in the nature of mandamus directing the Respondents to release the vehicles Truck bearing BR-44G-0196 and BR-44G-3505 respectively loaded thereon stone chips in favour of the petitioner



forthwith.

3. On 12.09.2024, four weeks’ time was granted to
remove the defects.

4. As the same was not removed and it being a
peremptory order, the case stands dismissed on 17.10.2024.

5. Perused the file, consigned.

(Rajiv Roy, J)

Vijay Singh/-

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