

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17496 of 2024

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Rupesh Kumar Son of Baidyanath Prasad, Resident of Radhika Niwas, Patel Chowk, Near Matri Vatslay Appt, Ashoka Vihar Colony, Gulzarbagh, Patna, Bihar-800007.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Environment, Forest and Climate Change, Government of Bihar, Patna.
2. The Principal Chief Conservator Forest, Bihar, Patna
3. The Conservator Forest, Muzaffarpur Division, Muzaffarpur.
4. The Divisional Forest Officer, Sitamarhi.
5. The Divisional Forest Officer, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Dharendra Pratap Singh, Advocate
For the State	:	Mr. Standing Counsel (16)

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 08-04-2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ application has been filed for direction upon the respondent to renew/ validate petitioner's Saw Mill License No. 441/1999.

3. Learned counsel for the petitioner submits that after due verification, the authority had issued the Saw Mill License bearing No. 441/1999 and the same was cancelled by the authority concerned without giving any opportunity to the petitioner. He further submits that the petitioner had approached the authority concerned for renewal of his license in the year



2011 and 2022 respectively.

4. A counter affidavit has been filed on behalf of the respondent state stating therein that in compliance of the order dated 12.12.1996 passed in WP(C) No. 202 of 1995 by the Hon'ble Apex Court, the Apex Court has directed the Divisional Forest Officer in Bihar not to issue any new license under Bihar Saw Mills (Regulation) Act 1990.

5. Learned counsel for the State submits that the new license would be issued after approval of the Central Empowered Committee and the Supreme Court authorized the State Level Committee to take decisions regarding the grant of the license.

6. On the recommendation of the Central Empowered Committee, the number of saw mills in the State was fixed as 1919 by Resolution No. 2675 dated 30.08.2010. Thereafter, the State Level Committee has held a meeting dated 21.07.2020 and increased the number of saw mills in State from 1919 to 3200 and the name of the petitioner is placed in Sl. No. 2681 of the Seniority List dated 14.01.2025.

7. In view of the aforesaid, the Respondent No. 4, The Divisional Forest Officer, Sitamarhi is directed to take a decision with respect to renewal of the license of the petitioner



within a period of three months from the date of the production/receipt of the copy of this order and pass a reasoned and speaking order within the aforesaid period and communicate the order to the petitioner.

8. With the aforesaid direction/ liberty this writ application stands disposed of.

(Rajesh Kumar Verma, J)

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