

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7431 of 2026

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Ajay Sharma S/o Yogendra Sharma, Proprietor of M/s Sharma Saw Mill,
Resident of Village- Mehdashahpur, Ward No.-10, P.S.- Cheria Bariarpur,
District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Environment, Forest and Climate Change, Government of Bihar, Sichai Bhawan, Old Secretariat, Patna.
2. The Principal Chief Conservator of Forest (HoFF), Department of Environment, Forest and Climate Change, Government of Bihar, Fourth Floor, Aranya Bhawan, Pir Ali Marg, Patna- 800014.
3. The Principal Chief Conservator of Forest (Dev), Department of Environment, Forest and Climate Change, Government of Bihar, Third Floor, Aranya Bhawan, Pir Ali Marg, Patna- 800014.
4. The D.F.O. Begusarai Forest Division, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
For the State : Mr. Addl. Advocate General (13)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-07-2026 Heard Mr. Vijay Anand, learned counsel for the
petitioner and learned State counsel.

2. The present petition has been preferred for the
grant of following relief(s):

*“(i) to issue a writ in the nature of
Certiorari, setting aside Letter No. 1826 dated
03.10.2025 issued by the Divisional Forest
Officer, Begusarai, whereby and whereunder the
Petitioner has been directed to shift his three-
decade-old saw mill unit situated at
Mehdashahpur outside a 10 km radius of
Kanwar Jheel Eco-Sensitive Zone within a*



stipulated period, failing which coercive action, including cancellation of license, has been threatened.

(ii) to issue a writ in the nature of Certiorari, setting aside Letter No. 809 dated 06.04.2026 issued by the Divisional Forest Officer, Begusarai, whereby and whereunder the Petitioner has been directed to submit an application in prescribed Form 'G' for relocation of the unit along with requisite documents within 30 days, failing which proceedings for cancellation of the Petitioner's Saw Mill License No. 92/1999 shall be initiated.

(iii) to issue a writ in the nature of Mandamus, commanding the Respondents not to take any coercive steps, including cancellation of the Petitioner's Saw Mill Licence No. 92/1999 or closure of the unit, without granting reasonable and adequate time for compliance in accordance with law.

(iv) to issue a writ in the nature of Mandamus, directing the Respondents to



consider the case of the Petitioner, being a pre-existing licensed unit operating since 1999, in a fair, reasonable and non-arbitrary manner, and to provide a reasonable transition period for relocation, if so required.

(v) to pass such other order/orders or direction/directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that he is ready to shift his Saw Mill from the eco-sensitive zone as per the mandate of the Hon'ble Apex Court/Central Government Directives/State Government Directives but not being economically sound, some time be given.

4. The submission is that it will suffice if his reply is considered sympathetically by the Divisional Forest Officer, Begusarai Forest Division, Begusarai, pursuant to the letter no. 809 dated 06.04.2026 (Annexure P/4 to the writ petition).

5. Learned counsel representing the respondents submit that already he was granted time repeatedly and now the notice also shows that he has to do the needful. However, he failed to act in time.



6. Having heard the parties, this Court is of the opinion that though the petitioner has deliberately delayed the process of shifting, considering that he is there for long, is ready to shift as per the directives, he be allowed to answer to the letter no. 809 dated 06.04.2026 and if he comes up with a positive proposal where to be shifted, an appropriate order shall be passed.

7. This order is being passed in the backdrop of the fact that it has been informed by learned counsel for the petitioner that pursuant to the letter dated 06.04.2026, no further steps has been taken.

8. Considering the fact that already delay has happened, allowing the petitioner to approach in next two weeks by filing a proper reply, an appropriate order be passed within a period of two months thereafter.

9. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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