

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3123 of 2023

Bimal Kumar Mishra

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Advocate
For the Respondent/s : Mr. Anjani Kumar (AAG-4)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

7 21-07-2023 Divisional Forest Officer, Jamui, Bihar *suo motu*

impleaded as the additional 12th respondent. Learned
Government pleader is directed to take notice for the additional
12th respondent.

2. The 12th respondent shall file an affidavit specifically referring to the 11th paragraph in the counter affidavit of the Respondent Nos. 9 and 10 filed on 19.05.2023. It has been specifically referred to therein that 1.5 kilometers road was to be constructed between Giddhaur, Jamuni road to village Kumardih and what is to be completed is only 200 meters, wherein a number of trees are standing. It is also stated therein that permission was sought for with the Forest Department to cut down the trees, which has not been considered till now.



3. In such circumstances, the Divisional Forest Officer through an authorised Officer shall verify how many trees are to be cut down to complete the 200 meters road after notice issued to the Circle Officer who shall also depute a suitable Officer. The Divisional Forest Officer shall file an affidavit as to what is the impediment in cutting those trees and how the road can be finished either without affecting the cutting down of trees or with alternate saplings being planted after the cutting down of trees for the developmental activity. The Circle Officer, Giddhaur, shall also file an affidavit regarding the proposal to complete the work. Both the affidavits shall be placed on record within a period of three weeks.

4. Post on 18.08.2023.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

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