
(2010) 02 JH CK 0080
In the Jharkhand High Court

Ravi Ranjan Kumar

APPELLANT

Vs

The State of Jharkhand, The Secretary, Forest and
Environment Department and The Authorised Officer-cum-
Forest Divisional Officer, Hazaribagh West Division

RESPONDENT

Date of Decision : 03-02-2010

Acts Referred:

Citation : (2010) 4 JLJR 67

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Judgement

Ramesh Kumar Merathia, J.—Heard.

2. The petitioner has challenged the confiscation proceeding being Confiscation Case No. 15 of 2009, pending before the Authorised Officer-cum-Forest Divisional Officer, Hazaribagh West Division, Hazaribagh (respondent No. 3) with a further prayer to release the truck bearing registration No. JH-10S-9222 in favour of the petitioner.

2. Counsel for the respondents submitted that as the confiscation proceeding has started, the petitioner may take all the points available to him in the confiscation case.

3. On this Mr. Anil Kumar Sinha, learned senior Counsel appearing for the petitioner, submitted that at least the truck in question may be released in favour of the petitioner on furnishing sufficient security, as it is a public carrier and is under the custody of the respondent concerned for the last eight months.

4. In the circumstances, the petitioner is directed to file his show cause in the confiscation proceeding within three weeks from today. Petitioner may take all points available to him under the law, in the confiscation case. Petitioner will cooperate in early disposal of the confiscation case which should be disposed of as early as possible and preferably within three months from the date of filing of show cause.

5. As an interim major, the truck bearing registration No. JH-10S-9222 be released on furnishing sufficient security, in the shape of Bank guarantee to the satisfaction of respondent No. 3. Before releasing the vehicle, respondent No. 3 will satisfy himself about the ownership of the truck in question. Petitioner will produce the vehicle in question as may be directed by respondent No. 3 and will not part with the possession of the truck. This order will not prejudice the parties and will be subject to the final decision of the confiscation case.

6. With these observations and directions, this writ petition is disposed of.