



2026:CGHC:4270



2025:CGHC:16566

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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (227) No. 338 of 2020

- 1** – Gopal, Son of Shankar Singh Rathia (Died) R/o Village Kathrapali, Police Station and Tahsil Ghardhoda, District Raigarh Chhattisgarh;
- 2** – Sadhram, S/o Gadaram Rathia, aged about 58 Years, R/o Village Kathrapali, Police Station and Tahsil Ghardhoda, District Raigarh Chhattisgarh;
- 3** - Shankar Singh, S/o Mayaram Rathia, aged about 54 Years, R/o Village Kathrapali, Police Station and Tahsil Ghardhoda, District - Raigarh Chhattisgarh.

---- Petitioners

Versus

State of Chhattisgarh Through The Appellate Officer and Chief Forest Conservator Bilaspur Circle Bilaspur, District – Bilaspur, Chhattisgarh

----Respondent

For Petitioner	: Shri Lavkush Kumar Sahu and Shri Sayed Asffaq Hussain Rizvi, Advocates.
For Respondent / State	: Shri Rohitashva Singh, Dy. G.A.

Hon'ble Shri Justice Sachin Singh Rajput

Order on Board

23/01/2026

1. Challenge in this writ petition is to an order dated 16/12/2019 passed by the learned Sessions Judge, Bilaspur, District – Bilaspur (C.G.) in Criminal Revision No. 125 / 2019 by which the appeal of the deceased/petitioner Nos.1 & 2 filed under Section 52-B of the Forest Act against an order of the Appellate Authority and Chief Conservator of Forest, Bilaspur, Circle – Bilaspur, order dated 30/06/2019 in Forest Case No. 4538/20 was dismissed.



2. Facts in nutshell is that, a vehicle Tractor bearing registration No. CG-13/LA-2677 and unnumbered trolley were found carrying 31 pieces of Saal Wood of 0.910 Cubic Meter valued Rs. 2770/-. The vehicle was intercepted by the Forest Officials and documents were demanded which were not produced, thus a forest offence No. 4538/2020 dated 20/04/2018 was registered against the driver - Shankar Singh Rathia and occupant Sadhram Rathia. The vehicle was confiscated in the investigation carried out and on completion of investigation on submission of the report, the Forest Ranger, Gharghoda has submitted the report for confiscation of the vehicle against which, an appeal was preferred under section 52(क) of the Forest Act before the Appellate Authority and Chief Conservator of Forest, Bilaspur, Circle – Bilaspur which vide its order dated 03/06/2019 maintained the impugned order. Against which, the revision as stated above was filed before the learned Sessions Judge which was also dismissed. From the record it appears that challenging the same the petitioners had earlier filed WP227 No. 219/2020 before this Court. The petitioners withdrew that writ petition from this Court vide order dated 25/02/2020. Thus, the said writ petition was dismissed as withdrawn. Order of which is filed as Annexure P/5. Thereafter, this writ petition challenging the same order is filed before this Court.
3. Perusal of Annexure – P/4 indicates that no liberty was granted by this Court to the petitioners to file a fresh writ petition. In light of law laid down by the Hon'ble Supreme Court in case of **Sarguja Transport Service vs State Transport Appellate Tribunal, M.P. Gwalior & Ors.** reported in **1987 (1) SCC 5**, this writ petition appears to be not maintainable.
4. Learned counsel for the petitioners submits that at this stage he may be permitted to withdraw this writ petition with liberty to move a review petition seeking review of the order dated 25/02/2020 passed in WP (227) No. 219/2020 (Annexure P/5).



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5. Not objected by the other side.
6. Heard learned counsel for the parties and perused the record.
7. In view of the above, this writ petition is dismissed as withdrawn with the aforesaid liberty.
8. Certified copy of the impugned order (Annexure P/1) be returned to the petitioners after retaining the duly attested photo-copy of the same.
9. All the pending applications are also disposed of.

**Sd/-
(Sachin Singh Rajput)
Judge**