

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPPIL No. 101 of 2025****Rajesh Rangari Versus Union Of India & Others****Order Sheet**

19/01/2026	Heard Mr. Samrath Singh Marhas, learned counsel for the petitioner. Also heard Mr. Tushar Dhar Diwan, learned counsel for the respondent No. 1, Mr. Praveen Das, Additional Advocate General for the State/respondents No. 2 to 7 and Mr. Kamlesh Patel, learned counsel for the respondent No. 8. Pursuant to the order dated 10.12.2025, the State/respondents No. 2 to 7 have filed their return. For ready reference, the relevant portion of the same is quoted hereinbelow: <i>“4. That, the petitioner has submitted that there were existed 11,765 trees in the year 2015. However, in the year 2018 it has been indicated that only 5747 trees remained for cutting. Hence, the petitioner has urged that almost 5,000 trees are uncounted for. It is most respectfully submitted that, respondent no. 5 was</i>



	<i>allotted aforesaid land by the Government of India. After following due process of law, diversion of the said land from forest land to a land suitable for mining purpose.</i> <i>5. That, pursuant the order dated 19.12.2015 (Annexure P/4), the direction was issued to the Range Officer, Bhanupratappur to perform marking and record of all trees having a circumference of 20 cm or above. Pursuant thereto, it has been found that 11,765 trees existed on the said land bearing kh/no. 608 at village-Kachche.</i> <i>6. That, it is respectfully submitted that a report was submitted by Range Officer, Bhanupratappur to the DFO, Bhanupratappur stating that a land situated at Reserve Forest (RF) 608 measuring 32.608 hectares 11,765 trees were marked for cutting. The report further states that in the past, 6070 trees have already been cut and as per report 5695 trees remained. The report further discloses that on 23.10.2018 when the Range Officer visited the site he found only small bushes.</i> <i>7. That, looking into this discrepancy the DFO had directed an enquiry to be conducted by Sub Divisional Officer, Bhanupratappur. The S.D.O submitted its report dated 02.06.2023 which states that out of the tree felling plan pertaining to 11765 number of trees, 6070 number of trees were already cut and as per earlier report the remaining 5695 trees were found to be left uncut at the site. The report further discloses that presently there was existed only 712 trees on the spot and therefore the remaining 4983 trees have been found to be missing. The instant report is (Annexure P/11).</i>
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	8. That, on the basis of the finding of the recording in the report, it was decided to have a fresh enquiry conducted by the enquiry team which was constituted on 13.11.2025. A copy of which is annexed as ANNEXURE R/1. 9. That, it is most respectfully submitted that the enquiry team submitted its report dated 19.11.2025 to the DFO, Bhanupratappur, Forest Division wherein the enquiry team found that in the entire land RF 608 which was diverted measuring 32.36 hectares and which was allotted to M/s Godawari Power and Ispat Limited Department had duly performed the procedure of tree felling prior to handing over all the land to the respondent no. 9. It has been further observed that there is no tree which remains to be felled on the spot. A copy of the enquiry report is filed and annexed herewith as ANNEXURE R/2. 10. That, it is respectfully submitted that the findings of the enquiry report of Annexure R/2 was not in consonance with all the report dated 02.06.2023 (Annexure P/11). Hence, the concerned DFO recorded his dissent and directed a fresh enquiry to be conducted vide its letter dated 20.11.2025. A copy of which is annexed herewith as ANNEXURE R/3. 11. That, it is most respectfully submitted that as the report has not yet been received, two reminders have been issued in this regard which are collectively annexed as ANNEXURE R/4 (COLLY). 12. That, it is most respectfully submitted that on the basis of report dated 20.11.2025, a letter on dated 21.11.2025 has been issued to M/s Godawari Power
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	<i>and Ispat limited to deposit Rs 3,06,341 as value of timber and fine to DFO East Bhanupratappur for burying timber in soil during the construction of road in leased mining area. A copy of which is annexed herewith as ANNEXURE R/5.</i> <i>13. That, it is most respectfully submitted that instant is the case where 32.26 hectares were allotted by Government of India in the year 2013 vide (Annexure P/3) and the tree felling was directed to be done in the year 2015 (Annexure P/5).</i> <i>14. That, it is most respectfully submitted that more than 10 years have elapsed since the plan for tree felling was directed and therefore there is a some difficulty being faced in arriving at a clear conclusive finding with respect to the actual details of tree felling.</i> <i>15. That, it is respectfully submitted that in order to ascertain the facts, the enquiry team is continuing to enquire into the issue/dispute.”</i> Mr. Marhas, learned counsel for the petitioner fairly submits that there are discrepancies in the report of the State authorities with regard to number of felling of trees, which needs to be clarified for which necessary instructions have already been issued. From perusal of the return, it appears that the reports (Annexure R/2) and (Annexure P/11) are contrary to each other and the Divisional Forest Officer himself is dissatisfied with the same and has directed a fresh enquiry to be conducted.
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Amit	Mr. Das submits that he may be granted two week's time to file additional affidavit with respect to the above issue. In view of the same, let this matter be listed after two weeks in order to enable the respondent No. 4 to file an affidavit with respect to the discrepancies in the reports filed by the State officials. Mr. Kamlesh Patel, learned counsel appears and submits that he has filed Vakalatnama on behalf of the respondent No. 8/Company and that he may be supplied a copy of the petition. The learned counsel for the petitioner as well as the State counsel are directed to supply a copy of the petition / return alongwith accompanying documents to Mr. Patel, learned counsel for the respondent No. 8. Sd/- (Ravindra Kumar Agrawal) JUDGE Sd/- (Ramesh Sinha) CHIEF JUSTICE
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