



2023:HHC:9058

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWPIL No.85 of 2022.

Date of decision: 10.08.2023.

Karam Chand

.....Petitioner.

Versus

The State of Himachal Pradesh and others

.....Respondents.

Coram

The Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge.

The Hon'ble Mr. Justice Ranjan Sharma, Judge.

Whether approved for reporting?¹ No

**For the Petitioner : Mr. Kul Bhushan Khajuria,
Advocate.**

**For the Respondents : Mr. Anup Rattan, Advocate
General with Mr. I.N.Mehta, Senior
Additional Advocate General, Mr.
Ramakant Sharma, Ms. Sharmila
Patil, Additional Advocate
Generals, Mr. J.S. Guleria, Deputy
Advocate General and Mr. Rajat
Chauhan, Law Officer, for
respondent Nos. 1 to 3.**

**Mr. Sat Prakash, Advocate, for
respondent No.4.**

**Mr. Vijay Arora, Advocate, for
respondent No.5.**

Tarlok Singh Chauhan, Judge (Oral)

On 15.05.2023, the Court passed the following orders:

¹*Whether the reporters of the local papers may be allowed to see the Judgment?Yes*



“Having heard the matter for a considerable length, we are clearly of the view that the investigation conducted by ASI Ravinder Singh, Police Station Tissa is not at all tenable as the inquiry has been conducted in a slipshod manner without making any reference to the illicit felling.

2. In the given facts and circumstances, we deem it appropriate to direct the Dy. S.P., Salooni to personally conduct the inquiry on the complaint made by Deputy Ranger Om Parkash, Forest Corporation, Tissa on 2.11.2022 (Annexure P-2) and thereafter submit the inquiry report to this Court in a sealed cover on the next date of hearing. Ordered accordingly.

3. List on 19.6.2023.

4. All the respondents are directed to cooperate with the investigation/inquiry. Personal appearance of all the officers is dispensed with till further orders.”

2. In compliance to the orders, not only the necessary inquiry has been conducted, but even, a Special Investigation Team has been constituted to expedite the investigation on the basis of the FIR No.53/23, that has now been registered after passing of the aforesaid order, on 11.06.2023 under Sections 32,33 of the Indian Forest Act and Section 379 of the Indian Penal Code at Police Station, Tissa.

3. In the given facts and circumstances of the case, we are clearly of the view that the instant PIL has achieved its purpose



and is disposed of accordingly, so also the pending applications, if any.

4. However, the Special Investigation Team is directed to complete the investigation as expeditiously as possible and in every event by **30.11.2023**. In the meanwhile, the respondents shall also fix the responsibility regarding the damage caused to the trees in respect of Lot No.14/2022-23, the details whereof have been given in the status report (page 38 to 41 thereof). Let compliance report be filed on **07.12.2023**.

(Tarlok Singh Chauhan)
Judge

(Ranjan Sharma)
Judge

10th August, 2023.
(krt)