



Karam Chand vs. State of H.P. & Ors.

CWPIL No. 85 of 2022.

01.01.2024 Present: Mr. K.B. Khajuria, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Yashwardhan Chauhan, Senior Additional Advocate General, Mr. Navlesh Verma, Addl. A.G. and Ms. Sharmila Patial, Addl. A.G. for the respondents-State.

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

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

Pursuant to the directions issued by this Court on 28th December, 2023, Dy. S.P. Ranjan Sharma, SDPO, Salooni, Dy. S.P. Ramakant Thakur, H.Q. Nahan and SI Joginder Singh, P.S. Tissa are present.

Mr. Ramakant Thakur, the then Dy. S.P., Salooni, is apprised of the order passed by this Court on 15.05.2023, whereby he was directed to personally conduct the inquiry on the complaint made by Deputy Ranger Om Prakash, Forest Corporation, Tissa, on 2.11.2022 (Annexure P-2) and thereafter submit the inquiry report to this Court in a sealed cover.

Even though, at one stage, he had submitted the inquiry report to this Court in a sealed cover, but then strangely enough, he had constituted the SIT which was never directed to be constituted by this Court. No doubt, the report submitted by the SIT was taken into consideration by this Court and final order was passed on 10th August, 2023, but the fact remains that Mr. Ramakant Thakur, the then Dy. S.P., Salooni was never authroised to



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constitute the SIT. He has accepted his mistake and tendered his unconditional apology which is accepted.

Mr. Ranjan Sharma, the current Dy. S.P., Salooni, undertakes to file an application before the competent Court seeking permission for further investigation in the matter and would not press the cancellation report. His submission is taken on record.

At this stage, we need to observe that the manner in which ASI Joginder Singh, P.S. Tissa, has submitted the cancellation report cannot be countenanced given the fact that the Forest Officers/Officials have prima facie been found to be negligent in discharge of their duties and even disciplinary proceedings have been initiated against them. Therefore, there is no occasion for the SIT headed by ASI Joginder Singh to have submitted the cancellation report. The SIT along with ASI Joginder Singh, is directed to be careful in future, especially while dealing with cases relating to State assets i.e. forest assets.

Personal appearance of the aforesaid officials is dispensed with.

List on 8th April, 2024, when the fresh status report be filed before this Court.

(Tarlok Singh Chauhan)
Judge

(Satyen Vaidya)
Judge.

1st January, 2024.
(jai)