



**IN THE HIGH COURT OF HIMACHAL PRADESH
AT SHIMLA**

CWPIL No.85 of 2022
Decided on: 07.07.2025

Karam Chand ...Petitioner

Versus

The State of H.P. and others ...Respondents

Coram

Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice
Hon'ble Mr. Justice Ranjan Sharma, Judge

¹ *Whether approved for reporting?*

For the petitioner: Mr. Kul Bhushan Khajuria,
Advocate.

For the respondents: Mr. Rakesh Dhaulta, Additional
Advocate General, for respondents
No.1 to 3-State.

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

Mr. Vijay Kumar Arora, Senior
Advocate with Ms. Godawari,
Ms. Lalita Sharma, Mr. Gaurav
Kumar, Mr. Hitansh Raj and
Ms. Aastha Kohli, Advocates, for
respondent No.5-H.P. State Forest
Corporation.

Mr. Sanjeev Bhushan, Senior
Advocate with Mr. Rajesh Kumar,
Advocate, for Mr. Om Prakash,
Deputy Ranger.

G.S. Sandhawalia, Chief Justice [Oral]

Present Public Interest Litigation was initiated
on the allegation that respondent No.4-Contractor had cut

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*



more than 60 green trees of *Deodar*, though he was ordered to cut 25-30 dry trees of *Deodar*. Certain directions were issued at the initial stage, directing respondent No.3-Divisional Forest Officer, Salooni, District Chamba, Himachal Pradesh, to visit the site of felling of trees and it was found that there was a truth in the averments, as such, as per order dated 03.05.2023 as many as 57 trees had been felled by respondent No.4 and an amount of Rs.16,67,408/- was recovery amount as such.

2. Vide order dated 10.08.2023, the matter was given a closure, however, directing the SIT to complete the investigation. Since a compliance report had to be filed, the matter was again listed and it was found that there was a cancellation report submitted as such on 31.07.2024, so further investigation was ordered with regard to use of illegal wood by respondent No.4-Jhagad Singh-Contractor. The status report on behalf of Investigating Agency was then filed and vide order dated 16.10.2024, the Investigating Officer along with his team was directed to be present in the Court on account of discrepancies as such in the affidavits filed. On 06.11.2024, it was directed that loss of Rs.16,67,408.27/ has to be recovered from the



erring Contractor and Officers/Officials and inquiry had also been held fixing the responsibility by associating the Officials from the State Forest Corporation since the timber had been handed over to the said Corporation and was lying in the depot.

3. The inquiry report had been submitted by the Conservator of Forests, Chamba Forest Circle, Chamba and keeping in view the adverse findings as such, directions were issued to initiate action against the erring Officers responsible for illicit felling.

4. On 01.05.2025, it was noticed that action has been taken against Ram Krishan, Assistant Manager and Om Parkash, Deputy Ranger and Inquiry Officer had been appointed. The amount which was to be recovered was by way of a civil suit filed against the Contractor and resultantly directions were issued as to whether any forfeiture of the security amount has been done and necessary affidavit be filed.

5. The affidavits now filed, would go on to show that a sum of Rs.50,000/- was forfeited by Divisional Manager, Forest Working Division, Chamba, vide office order dated 17.04.2023 [Annexure R-2]. Similarly, affidavit of Additional Chief Secretary [Forests], Mr. Kamlesh Kumar



Pant [IAS], would go on to show that Mahinder Singh, Block Officer/Deputy Ranger had been charge-sheeted on 02.06.2025 and disciplinary proceedings had been initiated against him. Similarly, affidavit of Chief Secretary, Mr. Prabodh Saxena [IAS] and Article of Charges, would go on to show that for the value of timber of Rs.16,67,408/-, departmental action has been taken.

6. In such circumstances, we are of the considered opinion that the State is now proceeding to recover the loss and also initiate departmental action against the officer's concerned and therefore, the matter is liable to be given appropriate closure.

7. Resultantly, we confirm the earlier order of closure dated 10.08.2023.

8. All pending miscellaneous application(s), if any, shall also stand disposed of.

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

July 07, 2025

[Bhardwaj/Chiranjeev]