



2023:HHC:9058

Karam Chand vs. State of H.P.

CWPIL No. 85 of 2022

03.05.2023

Present: Mr. Kul Bhushan Khajuria, Advocate for the petitioner.

Mr. I.N. Mehta, Mr. Y.W. Chauhan, Sr. Addl.A.Gs with Mr. Ramakant Sharma, Addl. A.G and Ms. Priyanka Chauhan and Mr. Arsh Rattan, Dy.A.Gs for the respondents-State.

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

At the oral request of learned counsel for the petitioner, H.P. State Forest Corporation through its Managing Director is ordered to be impleaded as party respondent and shall figure as respondent No.5 in the instant petition.

Issue notice. Mr. Rajesh Verma, learned counsel appears and waives service of notice on behalf of the newly added respondent.

Prima-facie it appears that under the garb of permission having been obtained to fell 14 trees, respondent No.4 felled as many as 57 trees that too of Deodar species, as is acknowledged by the D.F.O. Churah (respondent No.3) in the status report filed on 07.01.2023. It shall be apt to reproduce the relevant portion thereof, which reads as under:-

“During the inspection of Sagti Reserve Forest in Lot No. 14/2022/23, total 57 treses of Deodar speciies were enumerated/counted by the undersigned in the presence of the petitioner and concerned Field Functionaries on



2023:HHC:9058

the spot with Red Paint having mark “x”. The detailed list of enumerated/counted trees on the spot has been prepared, which is attached as Annexure R-2.”

Why no criminal action has been initiated against the private respondents and what steps have been taken to recover an amount of Rs. 16,67,408/-, is not forthcoming. Let specific affidavit to this effect be filed by the 3rd respondent on or before the next date of hearing.

List on 9th May, 2023.

(Tarlok Singh Chauhan)
Acting Chief Justice

May 03, 2023
(naveen)

(Virender Singh)
Judge