

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 1062 OF 2009

Balgovind Ji Maharaj ..Appellant  
versus  
Collector, Maharajganj and another ..Respondents

O R D E R

Learned counsel for the appellant could not dispute, that the notification under Section 4 of the Indian Forest Act, 1927 (hereinafter referred to as the 'Forest Act') was issued on 16.3.1954, on which the appellant raised objections under Section 6 of the Forest Act. Eventually, the notification under Section 4 of the Forest Act was upheld by the Governor by an order dated 10.02.1959 passed in a revision petition preferred by the State Government. In the above view of the matter it is apparent, that the notification under Section 4 of the Forest Act attained finality with the above order dated 10.02.1959.

Thereafter, a notification was issued under Section 20 of the Forest Act on 11.12.1976 declaring the property, which is subject matter of consideration in the present litigation, as a reserved forest. The order dated 11.12.1976 was never assailed by the appellant. In the above view of the matter, the same must also be deemed to have attained finality.

On account of the fact, that the notification under Section 20 of the Forest Act has already attained finality, there

can be no dispute that the appellant had no surviving right, title or interest in the lands under reference. Accordingly, in our considered view, nothing survives for consideration, with reference to the same lands, under the provisions of the Wild Life (Protection) Act, 1972.

The instant appeal is accordingly devoid of any merit, and as such, the same is hereby dismissed.

.....J.  
[JAGDISH SINGH KHEHAR]

NEW DELHI;  
MARCH 10, 2016.

.....J.  
[C. NAGAPPAN]

ITEM NO.102

COURT NO.3

SECTION XI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 1062/2009

BALGOVIND JI MAHARAJ

Appellant(s)

VERSUS

COLLECTOR, MAHARAJGANJ &amp; ANR.

Respondent(s)

(with appln. (s) for directions and directions and permission to file additional documents and exemption from filing O.T. and office report)

Date : 10/03/2016 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR  
HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s) Mr. V. Shekhar, Sr. Adv.  
Mr. S.R. Singh, Sr. Adv.  
Mr. V.J. Francis, Adv.  
Mr. Anupam Mishra, Adv.  
Mr. Rabin Majumder, Adv.  
Mr. Anant Gautam, Adv.

For Respondent(s) Mr. P.N. Mishra, Sr. Adv.  
Mr. Pawanshree Agarwal, Adv.  
Mr. Abhishek Chaudhary, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is dismissed in terms of the signed order.

(Renuka Sadana)  
Court Master

(Parveen Kr. Chawla)  
AR-cum-PS

[signed order is placed on the file]