

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22823 of 2012)

STATE OF UP & ORS.Appellant(s)

Vs.

M/S AKANSHA ENTERPRISESRespondent(s)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 19866 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22825 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 20572 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22829 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22824 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22828 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22831 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22827 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 22830 of 2012)

WITH

CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11310 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11311 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11306 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11304 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11307 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11305 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 9723 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11303 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 11312 of 2014)

WITH
CIVIL APPEAL NO.....OF 2023
(Arising out of S.L.P. (C) No. 25422 of 2014)

O R D E R

Leave granted.

It is brought to the notice of this Court that the controversy which is a subject matter of the present appeals, is covered by the judgment of the Court "*State of Uttarakhand and Others vs. Kumaon Stone Crusher*" [(2018) 14 SCC 537]. As a result of that judgment, the impugned order has been in effect upheld.

Consequently, the 4th and 5th amendment to the Rules framed under Section 41 of the Indian Forest Act, 1927 were struck down. Resultantly, the rules as they existed prior to those amendments - which require registration with fee of ₹ 750/- survive.

The appeals are partly allowed in the above terms.

.....J.
(S. RAVINDRA BHAT)

.....J.
(DIPANKAR DATTA)

New Delhi;
March 21, 2023.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 22823/2012

(Arising out of impugned final judgment and order dated 08-12-2011 in CMWP No. 1699/2011 passed by the High Court of Judicature at Allahabad)

THE STATE OF UTTAR PRADESH & ORS.

Petitioner(s)

VERSUS

M/S AKANSHA ENTERPRISES

Respondent(s)

WITH

SLP (C) No. 19866/2012 (XI)

SLP (C) No. 22825/2012 (XI)

SLP (C) No. 20572/2012 (XI)

SLP (C) No. 22829/2012 (XI)

SLP (C) No. 22824/2012 (XI)

SLP (C) No. 22828/2012 (XI)

SLP (C) No. 22831/2012 (XI)

SLP (C) No. 22827/2012 (XI)

SLP (C) No. 22830/2012 (XI)

SLP (C) No. 11310/2014 (XI)

SLP (C) No. 11311/2014 (XI)

SLP (C) No. 11306/2014 (XI)

SLP (C) No. 11304/2014 (XI)

SLP (C) No. 11307/2014 (XI))

SLP (C) No. 11305/2014 (XI)

SLP (C) No. 9723/2014 (XI)

SLP (C) No. 11303/2014 (XI)

SLP(C) No. 11312/2014 (XI)

SLP(C) No. 25422/2014 (XI)

Date : 21-03-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mrs. Rachna Gupta, AOR

Mr. S.R. Singh, Sr. Adv.

Mr. Rajeev Kumar Dubey, Adv.

Mr. Kamendra Mishra, AOR

Mr. Abhishek Chaudhary, AOR

For Respondent(s) Mr. Garvesh Kabra, AOR

Mr. Piyush Sharma, AOR

Mr. Suresh Garg, Adv.

Mr. Vivek Singh, AOR

Mr. K K Sinha, Adv.

Mr. Rajeev K Panday, Adv.

Mr. Pawanshree Agrawal, AOR

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

Learned appearing counsel states on behalf of Mr.
Garvesh Kabra that he has been appointed as standing counsel.

On his request learned counsel Mr. Garvesh Kabra be
discharged.

Delay condoned.

Leave granted.

The appeals are partly allowed in terms of signed order.

All pending applications are disposed of.

(NEETA SAPRA)

COURT MASTER (SH)

(Signed order is placed on the file)

(MATHEW ABRAHAM)

COURT MASTER (NSH)