

Court No. - 52

Case :- WRIT - C No. - 35086 of 2022

Petitioner :- Sheetla Prasad Shastri

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Suneel Kumar Mishra

Counsel for Respondent :- C.S.C.,Pradeep Singh

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Suneel Kumar Mishra, learned counsel for petitioner and Sri Rajkumar Singh, learned Standing Counsel for the State-respondent nos.1 to 4 as well as Sri Pradeep Singh learned counsel for respondent no.5.

2. The present petition has been filed for seeking a direction in the nature of mandamus to be issued in favour of respondents to restrain the Gram Pradhan of Village Kakhno to destroy greenery and ponds.

3. Learned counsel for the petitioner relied upon the report submitted by the Tehsildar Gyanpur on dated 24.09.2022 through which it has been transpired that the team constituted for inspection with regard to ascertaining the fact whether the certain trees have been removed or not and the same has been found that the complaint made by the petitioner was factually correct that certain trees have been removed, but at no point of time, it has been mentioned by the team constituted for inspection that the same has been removed without any prior approval or without any approval of the concerned forest authority.

4. The entire proceedings whatsoever has been taken up by the responding authorities with regard to removal of certain trees while carrying out the construction work in shape of digging ponds and maintenance of the same under the Amrit Sarovar Yojna, the same has been submitted by the Forest Officer to the Regional Forest Officer, Gyanpur Range with regard to valuation of 11 trees which have been removed.

5. In view thereof, there is hardly any cause of action arises in favour of the petitioner especially in shape of filing the writ petition and as such, the present petition stands **dismissed**.

Order Date :- 18.10.2023

Vivek Kr.