



| SL. No | Date       | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGES'S ORDERS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|        | 20.12.2024 |                                                                                                  | <p>WPIL No. 200 of 2024<br/><u>Hon'ble Manoj Kumar Tiwari, A.C.J.</u><br/><u>Hon'ble Pankaj Purohit, J.</u></p> <ol style="list-style-type: none"><li>1. Mr. Nalin Saun, learned counsel for petitioner.</li><li>2. Mr. Lalit Sharma, learned Standing Counsel for Union of India/ respondent no. 1.</li><li>3. Mr. K.N. Joshi, learned Deputy Advocate General with Mr. Naveen Tewari, learned Brief Holder for State of Uttarakhand/ respondent nos. 2, 3 &amp; 5.</li><li>4. Mr. Rahul Consul, learned counsel for respondent no. 4.</li><li>5. Mr. Ashish Joshi, learned counsel for respondent no. 6.</li><li>6. Mr. Piyush Garg, learned counsel for respondent no. 7.</li><li>7. Petitioner is a resident of District Dehradun. This Writ Petition has been filed by him in public interest, with the allegation that forest land is being sold and purchased in certain areas adjoining Kyarkuli Bhatta, Chalang, Ambari, Danda Jungle, Rudarpur etc. in District Dehradun. The reliefs sought in the Writ Petition are as follows :</li></ol> <p><i>"I. Issue a writ, order or direction in the nature of mandamus commanding the Respondent No. 2 and 3 to initiate proceedings under the U.P. Consolidation of Holdings Act to rectify the revenue records from the name of illegal encroachers to the Forest Department.</i></p> <p><i>II. Issue a writ, order or direction in the nature of mandamus commanding the respondents to direct the CBI or an independent agency to investigate the illegal sale, registration and occupation of forest lands in the State of Uttarakhand in contravention of Gazette Notification No. 617/XIV dated 11th October, 1952.</i></p> <p><i>III. Issue a writ, order or direction in the nature of mandamus commanding the respondents to restrict the sale, transaction and construction activities on the disputed</i></p> |



forest land in the district Dehradun.

IV. Issue a writ, order or direction in the nature of mandamus commanding the respondents to declare all the transactions in contravention of Gazette Notification No. 617/XIV dated 11th October, 1952 to be null and void and same shall be transferred to and shall vest in the State Government free from all encumbrances and all rights, title and interest of all persons in such land shall stand extinguished.

V. Issue a writ, order or direction in the nature of mandamus commanding the respondents to establish a Monitoring Committee under the aegis of this Hon'ble Court to ensure that the Himalayan Ecosystem is preserved and the forest conservation laws are properly implemented.

VI. Issue any other order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case."

8. Since the allegations made by petitioner are serious, therefore, we dispose of this Writ Petition, with liberty to petitioner to approach the concerned Divisional Forest Officer (DFO) by making a representation. If petitioner makes a representation within three weeks from today, the concerned DFO shall constitute a team of Forest Officers, who shall visit the areas, where, allegedly, encroachments have been made, and based on the report of such team of officers, the DFO shall pass necessary orders within six months from the date of receipt of representation, along with certified copy of this order.

9. Pending application(s), if any, also stand disposed of.

(Pankaj Purohit, J.)  
20.12.2024

(Manoj Kumar Tiwari, A.C.J.)  
20.12.2024

Rahul  
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Digitally signed by RAHUL PRAJAPATI  
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