

**Court No. - 2**

**Case :-** WRIT - C No. - 10792 of 2024

**Petitioner :-** Jangbahadur Singh And Another

**Respondent :-** Divisional Forest Officer Barabanki And 5 Others

**Counsel for Petitioner :-** Shiv Sharan Singh

**Counsel for Respondent :-** C.S.C.

**Hon'ble Rajan Roy,J.**

**Hon'ble Brij Raj Singh,J.**

1. Case called out.
2. This is a backlog fresh case.
3. No one is present on behalf of the petitioners.
4. Counsel for the opposite parties including private opposite parties, namely, Ashish Kumar Singh, learned Advocate who has filed vakalatnama, which is taken on record, say that the dispute if at all is between private parties. In fact, the private opposite parties deny the cutting of trees. If there are trees which cannot be cut and are sought to be cut by any private parties then the appropriate remedies lies under civil or criminal law and not under Article 226 of the Constitution of India.
5. The petition is ***disposed of***.
6. Our order will not come in the way of opposite parties in protecting the trees if they are not liable to be cut and if they are existing on the pond land.
7. This order shall be communicated to the Sub Divisional Magistrate, Sirauli Gauspur, District Barabanki by Mr. Mritunjay Pratap Singh, learned counsel for the State.

**[Brij Raj Singh, J.] [Rajan Roy, J.]**

**Order Date :-** 18.12.2024

Santosh/-