

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Contempt Case No.507 of 2015

—

Dated 24.04.2015

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Between:

M/s.Risat Timbers rep. by its owner

Chagan Patel

... Petitioner

and

A.V.Joseph

The Principal Chief Conservator of Forests

Hyderabad

...Respondent

Counsel for the Petitioner: Mr.V.Ravin Chandran

Counsel for the respondent: AGP for Forests

The Court made the following:

Order:

This Contempt Case is filed alleging willful disobedience of Order, dated 27-11-2014, in WP.No.35346 of 2014, by the respondent.

In obedience to the Form-I notice issued by this Court, the respondent is personally present. He has also filed a counter-affidavit along with which he enclosed the proceeding in Ref.No.42967/2013-Prod.2/TG, dated 25-02-2015, of the Principal Chief Conservator of Forests (Head of Forest Force) of the State of Telangana whereunder the petitioner's application for permission to shift its saw mill was rejected.

In his counter-affidavit, the respondent has submitted that the representation of the petitioner along with Order, dated 27-11-2014, passed by this Court in WP.No.35346 of 2014, was forwarded to the Principal Chief Conservator of Forests (Head of Forest Force), Telangana State, on 05-02-2015, with a request to take appropriate action thereon and that the latter has issued the above-mentioned proceeding. He has further submitted that as the petitioner's saw mill is in the State of Telangana under the jurisdiction of the Divisional Forest Officer, Hyderabad, and as the said Officer is not his subordinate, he cannot issue any orders/instructions to the said Officer regarding the shifting of the petitioner's saw mill to Visakhapatnam (State of Andhra Pradesh), and that therefore, the petitioner's representation was forwarded to the Principal Chief Conservator of Forests (Telangana State).

In the light of the above explanation offered by the respondent, the Contempt Case is closed and the respondent is discharged from the contempt proceedings. However, liberty is given to the petitioner to avail appropriate remedy, if it feels aggrieved by the above-mentioned proceeding rejecting its representation.

(C.V.Nagarjuna Reddy, J)

Dt: 24th April, 2015

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