

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.6339 of 2016**

1. Tilak Ram Pandey, S/o late Kartik Ram Pandey, aged about 61 years, R/o Chhindand Depo colony, Baikunthpur, District Korea (CG).
2. Pushnath Ram, S/o Gajra Ram, aged about 31 years, R/o Village Devtidand, P.S. & Tahsil Sonhat, District Korea (CG).

---- Petitioners**Versus**

1. State of Chhattisgarh, through the Secretary, Forest Department, Mahanadi Bhawan, New Raipur (CG).
2. Divisional Forest Officer, Forest Division Baikunthpur, District Korea (CG).
3. President-cum-Sub Divisional Officer, House Allotment Commission Forest Division Baikunthpur, District Korea (CG).

--- Respondents

For Petitioner : Shri Mahendra Kumar Sahu, Advocate
 For State : Shri Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/11/2016****(1)** Heard.

(2) By way of this petition, the petitioner are seeking quashment of the order of penal rent passed by Divisional Forest Officer, Forest Division, Baikunthpur.

(3) According to the petitioners, they are not liable to pay penal rent from their salary and without affording due opportunity of hearing of them, such an order for recovery of penal rent has been passed

against the petitioners and, therefore, they may be permitted to file representation to the concerned Conservator of Forest for redressal of their grievances. To which, counsel for the State has no objection.

(4) Be that as it may, if the petitioners prefer representation to the Conservator of Forest within a period of two weeks from today, the same is expected to be decided by the concerned Conservator of Forest and pass fresh order deciding the liability or otherwise of the petitioners to pay penal rent within a period of two months from the date of receipt of copy of this order.

(5) Till the entitlement of the petitioner is decided, no coercive steps shall be taken against them for a period of two weeks.

(6) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-