

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (C) No. 2049 of 2017**

Vijay Khandekar, son of late Ramji Khandekar, aged about 42 years, resident of Village – Amora, Post- Amora, Tahsil- Patharia, Police Station – Jarhagaon, District – Mungeli (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, New Raipur (C.G.)
2. The Divisional Forest Officer, Forest Division, Bilaspur (C.G.)
3. The Incharge, Flying Squad, Bilaspur Forest Division, Bilaspur (C.G.)
4. Kashthagar Officer, Kota, Forest Division, Bilaspur (C.G.)

---- Respondents

For Petitioner: Mr. Ajay Kumar Pandey, Advocate.
 For Respondent/State: Mr. Prasun Bhaduri, Govt. Advocate.
 Shri D.P. Sahu, District Forest Officer is present in person.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/08/2017**

(1) Learned counsel for the State would submit that petitioner's teak timber has already been auctioned on 20.01.2015 for Rs.27,500/-, and, thereafter, order of District Forest Officer has been passed on 1.4.2015 directing auction of teak in question, which has been made.

(2) At this stage, learned counsel for the petitioner would submit the State authorities may be directed to refund the said amount with interest and damages.

(3) The competent authority has directed to return the subject teak to the petitioner whereas it has already been auctioned by the Forest Authorities.

(4) Therefore, the State Government is directed to refund the aforesaid amount along with interest @ 8% per annum from 1.4.2015 till the date of its actual payment. The petitioner is also entitled for Rs.20,000 as damages from the State Government, within a period of 30 days from today as despite order of competent authority dated 1.4.2015, subject teak has not been returned.

(5) With the aforesaid direction, the writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-