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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-18372-2017

Date of decision : 26.10.2017

Joginder Singh and others

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. Sanjeev Sharma, Senior Advocate with
Mr. Gaurav Pathania, Advocate
for the petitioners.

AJAY KUMAR MITTAL, J. (ORAL)

The petitioners have approached this Court under Articles 226/227 of the Constitution of India, *inter alia*, for issuance of a writ in the nature of *certiorari*, setting aside the rejection/refusal letter dated 24.08.2016 (Annexure P-4) issued by respondent No.4/Divisional Forest Officer, Pathankot. A further writ of *mandamus* has been sought for directing the respondents to grant necessary permission to the petitioners for felling and cutting of trees as per the felling program of forest areas notified under Punjab Land Preservation Act, 1900 (Annexure P-1) issued by respondent No.1 and approved by respondent No.5 vide communication dated 07.12.2015 (Annexure P-2).

2. Learned Senior Counsel for the petitioners submitted that though a representation dated 08.08.2017 (Annexure P-8) had been filed, but the petitioners be permitted to file a detailed and comprehensive

representation to respondent No.4/Divisional Forest Officer, Pathankot. However, a prayer was made that a direction be issued to respondent No.4 to decide the same expeditiously within a time bound manner.

3. After hearing learned Senior Counsel for the petitioners, perusing the averments made in the writ petition and without expressing any opinion on the merits of the controversy, we dispose of the writ petition by permitting the petitioners to file a detailed and comprehensive representation before respondent No.4/Divisional Forest Officer, Pathankot, within a period of one week from today. It is, however, clarified that in case, such representation is filed by the petitioners, the same shall be decided by respondent No.4 within a period of two weeks thereafter, after affording an opportunity of hearing to the petitioners and by passing a speaking order, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

26.10.2017
Yogesh Sharma

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**