

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.6631 of 2018

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Forests for respondents and perused the prayer in the writ petition with the supporting affidavit.

Undisputedly under the impugned proceedings of the Divisional Forest Officer, Chittoor East (WL) Division, Chittoor, dated 03.08.2017, which is subject matter of impugment in the writ petition, it is clearly mentioned at page No.3 of there is a statutory right of appeal within 15 days. No doubt instead of approaching the appellate authority, earlier approached this Court and there was a direction to approach the authorities concerned and as per the statutory provision itself under Section 44 only the Divisional Forest Officer that is competent and against which appeal lies to the Additional Principal Chief Conservator of Forests.

Thereby, the Writ Petition is disposed of directing the petitioner to maintain an appeal within one week from the date of receipt of this order for entertaining appeal by the said authority without insisting for the period of limitation to entertain the appeal by virtue of this order and dispose of the same on own merits after opportunity of hearing, preferably within four (4) weeks from the date of filing of the appeal and communicate the same.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 28.02.2018
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