

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-PIL No. 35 of 2019 (O&M)

DATE OF DECISION: 05.07.2019

Gurmail Singh and othersPetitioners
versus

State of Haryana and othersRespondents

**CORAM:- HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE JASWANT SINGH, JUDGE**

Present: None for the petitioners.
Mr. Deepak Balyan, Addl. Advocate General, Haryana,
for the respondents.

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KRISHNA MURARI, CHIEF JUSTICE: (Oral)

This writ petition has been filed seeking the following main reliefs:-

- i) For the issuance of writ in the nature of mandamus and thereby for directing the respondents No.1 to 3 to conduct the enquiry/investigation into the aspect of cutting down of a forest of nearly 75 acres upon Gram Panchayat Kathe Majra, Block Narayangarh, District Ambala, land as per jamabandi Annexure P-1, as can be seen from the Khasra Girdwari, Annexure P-2, as any such cutting down of trees is prohibited under the provisions of Punjab Land Preservation Act, 1900 as well as under the Forest (Conservation) Act, 1980.
- ii) For the issuance of further writ, order or direction of mandamus thereby directing the respondent No.4 or respondent No.6-CBI to conduct the investigation into the cutting, disappearance and embezzlement of the sale proceeds of the forest, illegal cutting down of

75 acres of forest on land of Gram Panchayat
Kathe Majra, Block Narayangarh, District
Ambala, land as shown Khasra Girdwari Annexure
P-2.

2. On 31.01.2019, a Division Bench noticing that the nature of relief claimed falls within the scope of Public Interest Litigation directed the matter to be placed before the Hon'ble Chief Justice for listing it before appropriate Bench and that is how the matter is listed before us.

3. The notice of motion was issued vide order dated 15.03.2019 only to respondents No.3 and 5 at that stage. A written statement has been filed by the respondents.

4. Having gone through the averments made in the written statement, we are satisfied that the cause of action for the relief being prayed in the petition does not survive. Even otherwise, learned counsel for the petitioner neither appeared on the previous date nor is present today.

5. We being satisfied with the averments made in the writ petition that the cause of action does not survive any further close the proceedings.

Let the matter be consigned to record-room.

(KRISHNA MURARI)
CHIEF JUSTICE

(JASWANT SINGH)
JUDGE

05.07.2019
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NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO