

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

104

Civil Writ Petition No.20400 of 2017
Date of Decision: March 15th, 2019

Jagtar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Learned counsel for the respondents has referred to certain photographs to state that petitioner has changed the topography of the land and has levelled certain land. This fact is admitted by the counsel for the petitioner. He states that a representation dated 07.06.2017 (Annexure P-3) was thereafter submitted by the petitioner and the said representation till date has not been acted upon despite a legal notice dated 10.07.2017 (Annexure P-4).

On 13.03.2019, following order was passed by this Court:-

“Learned counsel for the petitioner, referring to the Chapter 5, Clauses 5.4.8 (at page 74), Clause 5.5 (at page 76) and Clause 5.6 (at page 77) of the Management Plan of Private Forest Areas Closed under Section 4 & 5 of Punjab Land Reservation Act, 1900 (Annexure P-2), contends that planting of fruits and medicinal trees on the hilly land and on areas adjoining hilly land is permissible. He contends that the petitioner undertakes to maintain the topography of the land and would not level the same and plant only permissible variety of the fruits and medicinal trees as provided under the Management Plan (Annexure P-2).

Counsel for the respondents – State prays for a short adjournment to seek instructions in this regard.

List for further consideration on 15.03.2019.

To be shown in the urgent list.”

In pursuance thereto, counsel for the State submits that the respondents have no difficulty in considering the claim of the petitioner and his application with reference to the Management Plan of Private Forest Areas Closed under Sections 4 and 5 of the Punjab Land Preservation Act, 1900 (Annexure P-2). He further states that because of the levelling of the land, action has been initiated against the petitioner as per the provisions of the statute.

This Court would not comment upon the said aspect and the respondents may proceed in accordance with law.

Counsel for the State submits that the representation of the petitioner will be considered and decided by the competent authorities of the concerned department within a period of four weeks from today and the decision conveyed to the petitioner by both the departments within further two weeks.

In view of the above, the present petition is disposed of.

March 15th, 2019

Puneet

**AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: No

Whether Reportable: No