

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

103

CWP-2226-2020

Date of decision: 14.11.2022

NAVITA GULERIRA

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Vinod Kumar, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been instituted under Articles 226/227 of the Constitution of India, 1950 for issuance of a writ in the nature of Certiorari for setting aside the impugned order/notice dated 09.11.2016 and the subsequent proceedings arising therefrom whereby the respondent No.5 i.e. Divisional Forest Officer Dasuya, District Hoshiarpur had directed the petitioner to deposit an amount of Rs. 35,50,082/- for the value of the forest land use for the construction of the petrol pump.

Reply by way of an affidavit of Atal Kumar, PFS, Division Forest Officer, Dasuya had been filed wherein it had been set out that the Government of Punjab had formulated a policy on 12.11.2010 for the purchase of non-forest land for afforestation in order to fulfill the requirements of forest land to be diverted for various development projects in the State of Punjab. Each and every user agency was required to deposit the value of the land in the event of non-providing

non forest land equal to forest land so that the same could be used for the purpose of forest tree. Resultantly, the demand was raised in terms of the said policy. At the time of seeking NOC, the petitioner has also submitted an affidavit that she shall provide either the land or shall deposit the value of the equivalent land to the Forest Department on the basis of the rate fixed by the State Government as per the compensatory non-forest area scheme. Thus, the petitioner not only was aware of the policy but also accepted the terms and conditions of the policy and is thus required to deposit the value of 0.1382 hectares of forest land which has been determined on the basis of the collector rate.

In view of the aforesaid response adopted by the State of Punjab, counsel appearing on behalf of the petitioner seeks permission to withdraw the present petition.

Disposed of as withdrawn.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 14, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No