

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

1. COCP-685-2017 (O&M)**Surender Singh****...Petitioner****Versus****Dr. Amrinder Kaur, IFS and another****...Respondents****2. COCP-1282-2022 (O&M)****Randhir Singh****...Petitioner****Versus****Amit Jha and others****...Respondents****Date of decision: 08.02.2023****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Babbar Bhan, Advocate
for the petitioner in COCP-685-2017.

Mr. Vaibhav Sharma, Advocate
for the petitioner in COCP-1282-2022.

Mr. Manish Dadwal, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above mentioned two contempt petitions as they are similar in nature.

Petitioner Surender Singh alleges violation of the order dated 02.06.2016, passed by this Court in CWP-11676-2016, vide which, the writ petition was disposed of with a direction to Principal Chief Conservator of Forests, Haryana to constitute a team of Senior Forest Officers to ascertain and determine the nature of the land in dispute and if it is found that it is a 'forest land for all intents and purposes', the Deputy Commissioner or other State authorities would be obliged to protect the same in accordance with

law, whereas petitioner Randhir Singh alleges violation of the order dated 20.02.2017, passed by this Court in CWP-3314-2017 filed by the Gram Panchayat, vide which, on the plea of the Gram Panchayat that the land which is shown to be in the ownership and possession of Gram Panchayat is being encroached upon by the Forest Department, the Chief Secretary, Haryana was directed to get the matter sorted out while entrusting the same to any senior officer.

Reply, filed by way of the affidavit of the Principal Chief Conservator of Forests, Haryana, dated 03.05.2017, is on record, according to which, a team of three members was constituted and it was reported that the land in question is to be treated as 'Forest' as the judgment of Hon'ble Supreme Court and the management of the land will be done under the Forest Conservation Act, 1980 and the land cannot be diverted for non-forestry activities without prior approval of Central Government under Section 2 of the said Act.

As per affidavit of the Deputy Commissioner, Jhajjar, dated 01.05.2017, which is also on record, it is stated that a committee was constituted by the Principal Chief Conservator of Forest, Haryana and necessary directions were issued to the revenue authorities to keep this land as forest area.

Another affidavit of Deputy Commissioner, Jhajjar, dated 30.10.2020, is also on record, wherein it is stated that as per Memorandum of Understanding, arrived at the between the parties, the land measuring 261 acres will remain under the ownership of Gram Panchayat and out of the same, the land measuring 118 acres 02 Kanals will be looked after by the Forest Department and the income thereof will go to the Gram Panchayat. It

is also stated that the proceedings under Section 7 of the Punjab Village Common Lands Act will be initiated for removing the encroachment from the land measuring 09 Kanals 04 Marlas.

In view of the same, no further action is called for and the present petitions are disposed of.

Rule stands discharged.

Let a photocopy of this order be placed on the file of other connected case.

08.02.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No