

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

105+212

CM-11-CWPIL-2023 in/and
Civil Writ Petition-PIL-145-2021
Date of decision :-07.12.2023

Jagdish Singh**.....Petitioner****Versus****State of Punjab and others****.....Respondents**

CORAM:- HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. H.C. Arora, Advocate
for the applicant-petitioner.

Mr. Abhay Pal Singh Gill, DAG, Punjab.

Mr. Nakul Sharma, Advocate
for respondent No.4-Gram Panchayat, Bharthala
Randhawa.

RITU BAHRI ACJ. (Oral)**CM-11-CWPIL-2023**

Prayer in this application is for placing on record copy of
the Punjab Government Notification dated 13.2.2017 as Annexure P-
6.

The application is allowed subject to all just exceptions
and the copy of the Punjab Government Notification dated 13.2.2017
is taken on record as Annexure P-6.

CWP-PIL-145-2021

Petitioner is seeking direction to restrain respondent No.4
from cutting 150 trees in the area of Gram Panchayat, Bharthala
Randhawa-respondent No.4 as the decision taken to cut all these trees

is not justified on account of adverse effect on the environment of the area.

After notice of motion, a detailed reply dated 10.10.2022 has been filed by respondent No.4-Gram Panchayat. They have placed on record the Resolution of the Gram Panchayat-respondent No.4 dated 30.6.2020 (Annexure R-3). In para 7 of the said Resolution, it is stated that there are small-big plants, dry trees and bushes on 04 acre of land and no improvement was possible unless these were removed. It is also mentioned in the Resolution that anti-social elements take drugs and do unlawful activities by hiding themselves surrounding the bushes and pits on the said land. As per the Resolution, after clearing the bushes was to be utilized for playing children and for devotees. Out of the said 04 acres land some plots measuring 5-5 marlas have been allotted under the Government Schemes to the families of economic weaker section of the society.

The object of removing the bushes and clearing the land is to give playing area to the children and making path for devotees, which does not spoil the environment area of the village at all.

Counsel for the petitioner has placed on record the copy of the Punjab Government Notification dated 13.2.2017 (Annexure P-6). As per this notification, the State of Punjab has issued a policy for the Gram Panchayat for plantation of the trees.

Vide this policy, the Government has already taken the steps for plantation of the trees with respect to the land in dispute, where the petitioner was aggrieved. The stand of the Gram Panchayat is very clear. It was only done so that the anti-social elements cannot

sit in the bushes. With regard to the grievance of the petitioner, this aspect has been taken care and the Policy (Annexure P-6) covers the entire State. The Punjab Government Notification dated 13.2.2017 (Annexure P-6) will be meticulously followed by the State of Punjab.

In view of the above, no further direction is required to be issued in the matter to the Gram Panchayat concerned as well as to the State of Punjab.

The present petition is disposed of.

**(RITU BAHRI)
ACTING CHIEF JUSTICE**

December 07, 2023
Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes / No
Whether Reportable Yes / No