

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

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Civil Writ Petition-PIL-144-2020

Date of decision :-04.12.2023

Akbar Khan

.....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:- None for the petitioner.

Mr. Abhay Pal Singh Gill, DAG, Punjab.

Mr. Kamal Joshi, Advocate
For respondent No.2.

RITU BAHRI ACJ. (Oral)

Prayer in this writ petition is for issuance of a writ in the mandamus directing respondents No.1 to 6 to initiate investigation into the matter of illegal cutting and root uprooting of Khair trees falling in the Siswan Forest Range area.

Learned counsel for the State has referred to an affidavit dated 12.11.2020 filed by the petitioner as Annexure R-12/T, annexed with the Status report dated 17.12.2021, filed by way of short affidavit of Guramanpreet Singh, PFS, Divisional Forest Officer, SAS Nagar-respondent No.4, wherein he has stated that he has agreed with the enquiry conducted by the officers/officials of the Forest Department. The cutting of the trees was done in the Forest area of Village Siswan, on the land, belonging to the land owners. Learned State counsel

further refers to the decision dated 02.02.2018 (Annexure R-2), whereby the guidelines have been laid down under the Punjab Land Preservation Act, 1900 in the villages, which deals with prohibition of cutting of trees and as per this policy, the land belonging to the private owners is being monitored to examine the felling of trees. The respondents have also placed on record SAS Nagar Management Plan from 2017 to 2027, which is the policy Legal Institutional Framework, which has been issued under Section 4 of the PLPA 1900. There is revised Felling Policy for *Mustarka Malkan* land which is part of this manual. Keeping in view the above-said policy, one letter (Annexure R-4/T) has also been placed on record, given by Baljit Singh resident of House No.1549, Sector 18, Chandigarh, where he has given the details of the khasra numbers and sought permission for selling the trees as per the above-said policy and this application has been forwarded to the Area Kanungo, Mohali and Area Patwari, Siswan vide letter dated 15.01.2019 (Annexure R-5/T). After that, verification of the trees was done as per letter dated 06.02.2019 (Annexure R-6/T) on the application given by Baljit Singh. As per the report Annexure R-7/T dated 17.1.2020, after concluding the necessary enquiry, report was given and stated that no illegal cutting of trees was found. As per the next letter dated 17.1.2020 (Annexure R-8/T) details of 159 trees, which were fallen under the no-cutting category, was given. On the complaint made by the petitioner (Annexure R-9/T) the enquiry was conducted and thereafter the petitioner has given his affidavit (Annexure R-12/T) that he has satisfied with the enquiry report.

The detailed reply/status report was filed on 17.12.2020 and now almost 03 years have gone by and no further response has been filed by the petitioner and no complaint has been placed on record to show that any felling of trees has been done against the policy/notification dated 02.02.2018 (Annexure R-2) and SAS Nagar Management Plan 2017-2027 (Annexure R-3).

Disposed of.

However, the petitioner will be at liberty to raise any grievance in future as per law.

(RITU BAHRI)
ACTING CHIEF JUSTICE

December 04, 2023
Vijay Asija

(NIDHI GUPTA)
JUDGE

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