

**Daily Lok Adalat****Bench No.4****501****RSA-1701-2002 (O&M)****HARYANA STATE THROUGH COMMISSIONER AND ORS. V/S LEHNA SINGH**

Present:- Mr. Sulinder Kumar, DAG, Haryana with
Mr. Divyansh, Assistant District Attorney
Mr. Bhupinder Singh Raghav, HFS, Assistant Conservator of Forests,
North Circle, Ambala for the appellants.

This is second appeal by State of Haryana and its officers.

Respondent-plaintiff-Lehna Singh, Forest Ranger since retired filed a suit against the present appellants, challenging penalty order dated 21.05.1996, directing recovery of Rs.7097.50 from the plaintiff regarding illicit felling of trees.

In preliminary inquiry, the plaintiff was found innocent, whereas, 3 other officials were found guilty. Regular departmental inquiry was held against the said 3 other officials. On the basis of regular inquiry report, show cause notice dated 06.01.1995 was issued to the plaintiff and pursuant thereto, impugned penalty order was passed, after the plaintiff was superannuated on 30.11.1995. The trial Court dismissed the suit of the plaintiff but his first appeal has been allowed by first Appellate Court and the suit has been decreed. Feeling aggrieved, the defendants have filed the present second appeal.

On behalf of appellants, Mr. Sulinder Kumar, DAG, Haryana, Mr. Divyansh, Assistant District Attorney and Mr. Bhupinder Singh Raghav, HFS, Assistant Conservator of Forests, North Circle, Ambala are present. They have stated that although there is no official record but the plaintiff-respondent is said to have since died. The aforesaid officials express their inability to settle the case

in Lok Adalat.

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We have carefully considered the matter. The case involves petty amount of a little over Rs.7,000/- only. Even before Lok Adalat, Deputy Advocate General appeared on two dates of hearing. On the last date of hearing, Forester from Ambala appeared alongwith Deputy Advocate General. Today the aforesaid two officials are present having travelled from Ambala.

It is thus, apparent that the appellants have already spent much more than petty amount of Rs.7,000/- involved in this second appeal and if the appeal is allowed to continue to be pending, the appellants would spent still more amount on prosecuting the appeal. Besides it, as already noticed, the plaintiff was found innocent in preliminary inquiry, whereas, he was not even associated in the regular departmental inquiry. In addition to it, the appeal of the plaintiff against the penalty order was dismissed by the departmental authority without even granting opportunity of hearing to him.

Keeping in view, all the aforesaid facts and circumstances and particularly the petty amount of Rs.7,000/- involved in this second appeal, we are of the considered opinion that, no useful purpose would be served by keeping this appeal pending.

Resultantly, this second appeal is ordered to be consigned to record room and deemed to have been disposed of with liberty to the appellants to get it revived, if so desired.

(JASBIR SINGH)
PRESIDENT

(L.N. MITTAL)
MEMBER

18.09.2024
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