



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

265

CWP-7242-2024
Date of Decision: 03.12.2024

VIKAS SHARMA AND ANOTHER

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Bhavya Vats, Advocate
for the petitioners.

Mr. Suneel Ranga, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to remove the unauthorized construction from the forest land situated next to village Chota Trilokpur, District Panchkula.

Report of the Local Commissioner has been filed, as per which certain temporary encroachments had been made and that the same have been removed.

Learned counsel for the petitioner contends that so far as the grievance of the petitioner qua the unauthorized encroachment is concerned, the same stands redressed as the said encroachment(s) have since been removed, and which such fact stands corroborated from the report of the Local Commissioner. He, however, contends that the fee of the Local Commissioner to the tune of Rs.50,000/- had been paid by him. Since the assertions made and

allegations levelled by the petitioner in the present writ petition stand corroborated from the report of local Commissioner, hence, the fee of the Local Commissioner may be apportioned equally between the petitioner and the respondent No.4-Range Forest Officer.

I find the aforesaid prayer to be fair and reasonable. Accordingly, the fee of the Local Commissioner, assessed as Rs.50,000/-, is ordered to be apportioned. Since the said fee has already been paid at the first instance by the petitioner, respondent No.4-Range Forest Officer is directed to reimburse a sum of Rs.25,000/- to the petitioner within a period of eight weeks of the receipt of certified copy of this order.

It is made clear that in case the aforesaid amount is not reimbursed within the aforesaid period, the entire amount of the fee of Local Commissioner shall be paid by the respondents. In that eventuality, the differential amount of Rs.25,000/- shall be recovered from the Range Forest Officer-respondent No.4.

Petition stands disposed of accordingly.

DECEMBER 03, 2024.
rajender

(VINOD S. BHARDWAJ)
JUDGE

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