



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3159/2025.

Ramesh Bhikaji Kumbhalkar.

-VERSUS-

District Collector, Gadchiroli and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri N.S. Warulkar, Advocate for the Petitioner.
Shri H.R. Dhumale, .A.G.P.for Respondents.

CORAM : NITIN W. SAMBRE
AND SACHIN S. DESHMUKH, JJ

DATE : JUNE 24, 2025.

P.C.

Heard.

2. Land bearing Survey No.324/2 of
Mouza Bedkati, Taluq Kurkheda, District
Gadchiroli, ad-measuring 2 Hectares was owned
by Lade family, who are conveniently not
impleaded as party respondents to the petition.
The present petitioner entered into two deeds i.e.
[1] Special Power of Attorney by Shriram Jagannath
Lade and 4 others in relation to granting

permission in favour of the petitioner for felling of scheduled big trees and other trees, and [2] a registered sale deed for the sale and transfer of the said standing trees. Based upon this, it appears that the petitioner has sought permission to fell the trees, which was rejected on 20.12.2011, which order is the subject matter of challenge in the present petition.

3. Apart from delay and laches, we fail to understand as to when the scheduled trees cannot be cut and transported without following the due process of law as contemplated under the Forest Conservation Act, 1980 the petitioner ought not to have purchased the said standing trees. The aforesaid conduct of the petitioner shows that not only a false assurance of providing compensation is being given to the land owners for felling of the trees and further assurance for obtaining permission shall be procured, was also given.

4. It can be seen from the girth of the trees, of which felling is sought, that the same can

be identified as Heritage Trees.

5. In the aforesaid background, we are of the view that the order impugned, which is questioned after almost a period of 12 years, does not call for any interference. The Writ Petition is therefore, dismissed with costs.

JUDGE

JUDGE