



**CM-16637-CWP-2025 in/and
CWP-32124-2025**

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

**CM-16637-CWP-2025 in/and
CWP-32124-2025
Date of decision: 12.11.2025**

PARDEEP KUMAR

....PETITIONER

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: - Mr. Krishan Singh Dadwal, Advocate for the petitioner.

Mr. Vipin Pal Yadav, Addl. A.G. Punjab.

SHEEL NAGU, C.J. (Oral)

CM-16637-CWP-2025

The instant application under Section 151 CPC has been filed for placing on record short reply dated 04.11.2025 by way of affidavit of Divisional Forest Officer, Hoshiarpur, on behalf of respondents No.2 to 7, along with Annexures R-1 and R-2.

2. For the reasons mentioned in the application, the same is allowed and the aforesaid documents are ordered to be taken on record.

3. Registry is directed to tag the same at an appropriate place on the case file.



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This petition has been filed in regard to the following relief:

“i. To issues a writ in the nature of mandamus directing the respondents to permit the petitioner to cut and remove 160 khair trees, for which the petitioner was granted the permit in pursuance of the resolution dated 31.01.2020 passed by Respondent No. 9 (Annexure P-1), acting upon the said permit, the petitioner has already cut 635 trees, as evident from letters dated 29.09.2022, 11.11.2022 and 20.12.2022 (Annexures P-3, P-4 and P-6) and, despite the lifting of the ban with regard to the cutting of trees, vide letter dated 06.05.2023 (Annexure P-7), the petitioner has not been granted permission to cut the remaining trees, despite submission of an innocuous request through representation dated 14.01.2025 (Annexure P-8), followed by a legal notice dated 15.09.2025 (Annexure P-10), sent to the respondents, however, despite the receipt of the same, the respondents remained silent and failed to act, despite the fact that there exist no impediment in allowing the petitioner to cut the trees, especially when in a similar case i.e. CWP No. 23891 of 2023 titled as Mohinder Singh v. State of Punjab and Others, wherein similar relief was sought, the court had already passed the order dated 08.11.2023 (Annexure P-9) and the respondents have complied with the said order, as evidence from the permit dated 14.10.2025 (Annexure P-11) and order dated 17.10.2025 (Annexure P-12) passed in COCP No.1538-2025, keeping in view the peculiar facts



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and circumstances, which are being set out in the present petition;

ii. Any other relief, which this Hon'ble Court deems fit may kindly pass in favour of petitioner, in the interest of justice.

iii. Filing of certified typed copies of Annexure P-1 to P-12 may kindly be dispensed with and be permitted to place on record Photostat/typed/translated copies of the same, in the interest of justice;

iv. Issuance of advance notices in the present case be dispensed with;

v. Costs of the petition be awarded to the petitioner.”

2. The grievance of the petitioner appears to be that, by resolution dated 31.01.2020 passed by the Gram Panchayat i.e. Respondent No.9 (Annexure P-1), it was resolved to permit the petitioner to cut and remove 795 trees, followed by issuance of permit in favour of petitioner. Out of these 795 trees, the petitioner cut and removed 635 trees, but before the remaining could be cut and removed, ban was imposed vide Annexure P-7 and thereafter neither the petitioner was permitted to cut the remaining trees nor to remove them. Further, there was an interim stay granted by this Court against cutting of trees in CWP-PIL-172-2021.

3. Learned counsel for the petitioner as well as learned State counsel are at consensus that if a fresh resolution is made by the Gram Panchayat in regard to remaining 160 trees, the same would be placed before the Committee headed by the Additional Deputy Commissioner

(Development), Hoshiarpur, whereafter it shall be processed by the



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competent authority under the Forest Department and accordingly, permit would be considered to be issued.

4. In view of the above consensus arrived at, this Court disposes of this petition. The petitioner shall move an application before the Gram Panchayat and take necessary steps in regard to the remaining 160 trees, so that an appropriate resolution may be passed. Thereafter, the matter shall be placed before the competent Committee as well as the Authority for consideration of issuance of permit in accordance with law.

5. Let the aforesaid exercise be completed within a period of 60 days.

**(SHEEL NAGU)
CHIEF JUSTICE**

12.11.2025
kanika

**(SANJIV BERRY)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |