IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

<u>**CWP No. 5600 of 2012 a/w CWPs No. 9797 of 2012 & 6809 of 2013.**</u>
Date of Decision : 06.09.2014

1. **CWP No. 5600 of 2012**

    Manoj Kumar   ….*Petitioner*
                           Versus
    Union of India & others   …*Respondents*

2. **CWP No. 9797 of 2012**

    Keshav Negi & others   ….*Petitioners*
                           Versus
    Union of India & others   …*Respondents*

3. **CWP No. 6809 of 2013**

    Liaq Ram Shyam   ….*Petitioner*
                           Versus
    Union of India & others   …*Respondents*

Coram:
The Hon'ble Mr. Justice Mansoor Ahmad Mir, Chief Justice.
The Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge.
Whether approved for reporting?[1]

<u>**CWP No. 5600 of 2012**</u>

For the petitioner :   Mr. Ajay Sharma, Advocate.

For the respondents: Mr. Ashok Sharma, Assistant Solicitor General of India, for respondent No. 1.

                        Mr. Shrawan Dogra, Advocate General with Mr. Romesh Verma, Mr. V.S. Chauhan, Additional Advocate Generals and Mr. Kush Sharma, Deputy Advocate General, for the respondents No. 2 to 8.

                        Mr. C.N. Singh, Advocate, for respondent No. 9.

                        Mr. Arvind Sharma, Advocate, for respondent No. 10.

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[1] *Whether the reporters of Local Papers may be allowed to see the judgment?*

CWP No. 9797 of 2012

For the petitioners :   Mr. B.C. Negi, Advocate.

For the respondents: Mr. Ashok Sharma, Assistant Solicitor
General of India, for respondent No.
1.

Mr. Shrawan Dogra, Advocate
General with Mr. Romesh Verma, Mr.
V.S. Chauhan, Additional Advocate
Generals and Mr. Kush Sharma,
Deputy Advocate General, for the
respondents No. 2 to 6.

Nemo for respondents No. 7.

Mr. Rajnish Maniktala, Advocate, for
respondent No. 8.

CWP No. 6809 of 2013

For the petitioners :   Mr. B.M. Chauhan, Advocate, for the
petitioner.

For the respondents: Mr. Ashok Sharma, Assistant Solicitor
General of India, for respondents No.
1 & 2.

Mr. Shrawan Dogra, Advocate
General with Mr. Romesh Verma, Mr.
V.S. Chauhan, Additional Advocate
Generals and Mr. Kush Sharma,
Deputy Advocate General, for the
respondents No. 3 to 5.

Mansoor Ahmad Mir, Chief Justice *(Oral)*

In compliance to the order dated 23.07.2014,
respondent No. 5-Chief Conservator of Forests,
Dharamshala has filed affidavit in CWP No. 5600 of 2012.
It is apt to reproduce paras-3, 4 & 5 of the aforesaid
affidavit herein:-

> "*3.   That the spot has been got inspected on
> 07.08.2014 through Sh.Narender Singh Forest
> Ranger, Dharamshala and during the spot
> inspection, it has been found that both the
> paths mentioned in the present CWP are found
> fenced with proper fencing which was done*

earlier by the department. There is no alteration or damage to the fence. No new work or violation has been found on the spot. Total 250 plants planted in the forest land in question were found surviving on the spot and the plantation is being maintained by the department every year. (Report of Range Forest Officer, Dharamshala is enclosed as Annexure -1).

4. *It is, further submitted that concerned Block Officer, Sh. Guldish Chand Dy. Ranger and Beat Guard, Sh. Sachin Kumar were charge-sheeted vide C.F. Dharamshala letter No.10021 dated 02.03.2013 (copy enclosed as Annexure-II). Sh. Ram Kumar Dogra, HPFS was appointed as Inquiry Officer vide Conservator of Forests, Dharamshala Office Order No. 43/CF/2013 dated 26.06.2013 (Copy enclosed as Annexure-III).*

5. *The Inquiry Officer, Sh. Ram Kumar Dogra, HPFS T.A. to CCF Dharmshala vide letter No. 3943 dated 19.08.2014 (Copy enclosed as Annexure-IV) has submitted his Inquiry Report. The matter is under consideration of the Disciplinary Authority i.e. CCF Dharamshala."*

Keeping in view the averments contained in the aforesaid affidavit, it appears that the respondents have taken steps to redress the grievances of the writ petitioners.

2.   In the given circumstances, the writ petitions are disposed of by directing the respondents to redress the grievances of the writ petitioners, as early as possible, preferably within a year.

3.   Pending applications are disposed of.

(Mansoor Ahmad Mir)
Chief Justice.

September 6, 2014   **(Tarlok Singh Chauhan)**
   (hemlata)   **Judge.**