
(2021) 01 UK CK 0034

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 646 Of 2017

M/s Trident Chemicals

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 06-01-2021

Acts Referred:

Citation : (2021) 01 UK CK 0034

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Birendra Singh Adhikari, Devesh Ghildiyal

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner has established a small scale industry at Panuwanaula, District Almora. In the said industry, pine resin is used as raw-material. Divisional

Forest Officer, Civil & Soyam Forest Division, Almora passed an order on 07.01.2017, requiring the petitioner to run the industrial unit, in accordance

with the provision of the U.P. Resin and other Forest Produce (Regulation of Trade) Act, 1976.

2. Petitioner filed Writ Petition (M/S) No. 235 of 2017, which was disposed of with liberty to the petitioner to make representation before Divisional

Forest Officer concerned with a direction to the Divisional Forest Officer to take decision thereupon within three months.

3. Petitioner made representation in terms of order of this Court, which has been rejected vide order dated 01.03.2017. Thus, feeling aggrieved,

petitioner has approached this Court challenging the order dated 01.03.2017 and order dated 7-1-2017 passed by Divisional Forest Officer, Civil

Soyam Forest Division, Almora.

4. A counter affidavit has been filed on behalf of respondent nos. 3 & 4. In para no. 17 of the said counter affidavit, a reference has been made to the

letter dated 08.03.2017 issued by Chief Conservator of Forest, Vigilance & Legal Cell, Uttarakhand, Haldwani. In the said letter, an opinion has been

expressed that the finished product produced by the petitioner's unit may not come within the definition of Forest Produce. It has been further

stated that a letter has been issued by Conservator of Forest, North Kumaon Circle, Almora to Chief Conservator of Forest, Kumaon Nainital on

21.03.2017 and the matter is pending before Chief Conservator of Forest, Kumaon, Nainital and decision thereupon is awaited.

5. In view of the statement made in para no. 17 of the counter affidavit, filed on behalf of respondent nos. 3 & 4, the writ petition is disposed of with a

direction to Chief Conservator of Forest, Kumaon Circle, Nainital to take decision in the matter, which was referred to his office vide letter dated

21.03.2017, if not already taken, as early as possible, but not later than six weeks from the date of production of certified copy of this order.