

(2010) 05 SHI CK 0279
In the High Court Of Himachal Pradesh
Case No : CWP No. 2074 of 2009

Sh. Rameshwar Sharma and Another	APPELLANT
Vs	
State of H.P. and Another	RESPONDENT

Date of Decision : 03-05-2010

Acts Referred:

Citation : (2010) 05 SHI CK 0279

Hon'ble Judges : Dev Darshan Sud, J

Bench : Single Bench

Judgement

Dev Darshan Sud, J.—The Petitioner is aggrieved by the order passed by the State in rejecting his application for Timber Distribution Right. In CWPI No. 7 of 2006 titled Ratanjit Singh v. State of Himachal Pradesh and others, this Court had prohibited the felling of trees. This order was made the basis for rejection of the request of the Petitioner herein. The Respondents have placed on record Annexure R-1 addressed by the Principal Chief Conservator of Forests, Himachal Pradesh to all concerned Officers.

2. CWPI No. 7 of 2006 titled Ratanjit Singh v. State of Himachal Pradesh and others stand decided by this Court vide its order dated 3rd September, 2009, directing that:

"The above suggestions are appreciable. Therefore, before finalization of the Draft Rules Annexure R-1 the Respondent No. 1 State shall give the due consideration and endeavor shall be made to incorporate these suggestions in the proposed Rules in the larger public interest. It is indicated that while finalizing the Draft Rules as indicated hereinabove the State shall also keep in view the observations made by the Hon'ble Supreme Court in T.N. Godavarman Thirumulkpad Vs. Union of India and others, and further orders passed by the Hon'ble Supreme Court from time to time in T.N. Godavarman Thirumulkpad etc. v. Union of India and other (supra) as applicable to State of Himachal Pradesh. It is also observed that while giving final shape to the proposed Rules the State shall take into consideration and protect the rights of the rightholders existing

under various Forest settlements. The State shall also consider the suggestions if brought by the parties concerned in the public interest and endeavor shall be made to bring the proposed Rules as indicated hereinabove expeditiously, preferably within three months from today.

Till finalization of the proposed Rules the interim order dated 1st June, 2006 passed in CWPIL No. 7 of 2006 shall be effective.

In view of above observations, all the Writ Petitions stand disposed of, as also all the pending applications".

This Writ Petition, therefore, does not survive. The case of the Petitioner shall be considered in terms of the order passed by this Court in CWPIL No. 7 of 2006 titled Ratanjit Singh v. State of Himachal Pradesh and others. Let a copy of judgment of that Writ Petition be placed on record of this case. Writ Petition is disposed of. There is no order as to costs.