

(2021) 07 UK CK 0196

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1422 Of 2021

Van Panchayat Hartola & Others

APPELLANT

Vs

State Of Uttarakhand & Another

RESPONDENT

Date of Decision : 27-07-2021

Acts Referred:

Uttarakhand Panchayat Van Niyamawali, 2005 — Rule 18(Gha)
Uttaranchal Panchayati Forest Rules, 2005 — Rule 18(d)

Citation : (2021) 07 UK CK 0196

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : K.K. Harbola, Vinod Nautiyal, Devesh Ghildiyal

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. This writ petition has been filed by four Van Panchayats of District Champawat, seeking the following relief:

â??A. To issue a writ order or direction in the nature of mandamus directing the respondent/ Divisional Forest officer to Conduct Public auction of

the dead and fallen pine trees situated within the area of petitioners/Forest Panchayat (Champawat) By following of the Rule 18 (Gha) of Uttarakhand

Panchayat Van Niyamawali 2005.â??

2. Learned counsel for the petitioners submits that all the four Van Panchayats have passed a Resolution for conducting auction of the dead & fallen

pine trees under Rule 18 (d) of Uttaranchal Panchayati Forest Rules, 2005.

3. It is the case of the petitioners that the said Resolution was sent to concerned Divisional Forest Officer; but, no decision has been taken thereupon.

4. After arguing for a while, learned counsel for the petitioners submits that petitioners may be permitted to make representation to Divisional Forest

Officer, Champawat, who may be directed to take decision thereupon at the earliest.

5. Having regard to the facts & circumstances of the case, the writ petition is disposed of with liberty to petitioners to make representation to

Divisional Forest Officer, Champawat, within two weeks from today. If such representation is made within the stipulated period, the concerned

Divisional Forest Officer shall consider the request made by the petitioners and pass appropriate order, in accordance with law, particularly Rule 18

(d) of Uttaranchal Panchayati Forest Rules, 2005, as early as possible; but, not later than four weeksâ?? from the date of receipt of representation

alongwith certified copy of this order.