
(2023) 02 UK CK 0004

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 313 Of 2023

Van Panchayat Khakar Through Its Sarpanch

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 03-02-2023

Acts Referred:

Uttaranchal Forest Panchayat Rules, 2005 — Rule 18

Citation : (2023) 02 UK CK 0004

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Amar Murti Shukla, Yogesh Tiwar, V.S. Rawat

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. The petitioner is the Van Panchayat, situated at Village Khakar, Post Office Jakh, Tehsil Jaiti, District Almora. By following the procedure, prescribed in Rule 18 of the Uttaranchal Forest Panchayat Rules, 2005, a resolution was passed by the petitioner for disposal of rotten grass pine tree etc. The said resolution was received in the office of the respondent no.2, but, till date no decision has been taken on the resolution and representation, preferred by the petitioner.

2. The present writ petition has been filed with the following relief:-

Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no.2 to take appropriate decision on the representation and resolution of the petitioner which was duly received in the office of respondent no.2 on 06.08.2022 in accordance with law within the stipulated time as this Court may deem fit and proper under the facts and circumstances of this case.

3. Learned counsel for the State requested four weeks' time to decide the said resolution/representation.

4. In view of the submissions made by the learned counsel for the parties, and, in the facts and circumstances of the case, the present writ petition is being disposed of with a direction to the Divisional Forest Officer, Forest Division Almora, District Almora, the respondent no.2, to consider and decide the said resolution/representation, submitted by the petitioner and received by the office of the respondent no.2 on 06.08.2022, by a speaking order expeditiously preferably within a period of four weeks' from the date of receipt of the certified copy of this order, in accordance with the relevant rules.

5. It is made clear that this Court has not expressed any opinion on the merit of this case.