

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CWP No. 2846 of 2015
Date of decision: 31.3.2016.

Sh. Dharam ChandPetitioner
Versus
State of H.P. & othersRespondents

Coram:

The Hon'ble Mr. Justice Mansoor Ahmad Mir, Chief Justice

The Hon'ble Mr. Justice Sureshwar Thakur, Judge

*Whether approved for reporting?*¹

For the petitioner : **Mr. B.R. Kashyap, Advocate.**

For the respondents: **Mr. Shrawan Dogra, Advocate General with Mr. Anup Rattan, Mr. Romesh Verma, Additional Advocate Generals and Mr. J.K. Verma, Deputy Advocate General, for respondents No. 1 & 3 to 8.**

Mr. Manish Sharma, Advocate, for respondent No. 2.

Mansoor Ahmad Mir, Chief Justice (Oral)

The writ petition, on the face of it, is not maintainable for the following reasons.

2. The petitioner has sought the following reliefs on the grounds taken in the memo of the writ petition:

“1. That the respondents No. 1 to 9 be directed to place the record and in respect of illicit felling of green forest and the damage report

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

prepared for the damage to the forest and the mode of recovery through which the amount has either recovered.

- b. That the respondents No. 1 to 9 further directed to take immediate and strict action by lodging the criminal case FIR on the report in which the respondents failed to take timely action despite the FIR and has not mentioned the name in the FIR despite the complaint and the names of the respondents.*
- c. That the respondents No. 1 to 9 be directed to restore the said passage blocked during the construction of road in the DPF 258 in the Bagund Area at Karsog, immediately so that the loss of crop and the business may not be caused as the petitioners' has no other source of income except the small unit of food processing in the village and from the farming and the petitioner is not in a position to transport the said ready material and the crop to the market.*
- d. That the respondents No. 1 to 9 be directed to bear the loss caused by the residents adjoining to the village of the petitioner and compensate the petitioner family for the loss of property and the business because the construction of unauthorized road and erection of wall vide which the passage of the petitioner blocked beside the cost of litigation."*

2. Perhaps, the petitioner is seeking ingress and egress to his house through green forest, which is not permissible under law. Had there been any ingress and egress recorded in the revenue record, he would have placed the same on record. It appears that some illicit felling has taken place, which is subject matter of CWPIL No. 8 of 2015. The petitioner is at liberty to intervene in CWPIL No. 8 of 2015, *supra*.

3. Accordingly, the writ petition is disposed of alongwith pending applications.

(Mansoor Ahmad Mir)
Chief Justice.

March 31, 2016
(*hemlata*)

(Sureshwar Thakur)
Judge.