

IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH

DATED THIS THE 28TH DAY OF FEBRUARY, 2017

BEFORE

THE HON'BLE MRS. JUSTICE RATHNAKALA

WRIT PETITION NOS.202427-202429/2014 (GM-FOR)

BETWEEN

SPURTHI MAHILA MANDAL
BIJAPUR
(A SOCIETY REGISTERED UNDER THE
PROVISION OF KAR.SOCIETIES REGISTRATION
ACT 1960 BEARING REG NO.179/83-84)
HAVING ITS OFFICE AT "VARSHA"
SADASHIV NAGAR, SOLAPUR ROAD,
BIJAPUR-586103
REPRESENTED BY ITS SECRETARY
MRS.SHYAMALA VARADRAJAN
AGE: 63 YEARS

... PETITIONER

(BY SRI SANJAY M. JOSHI &
SRI D.P.AMBEKAR, ADVS.)

AND

1. THE UNION OF INDIA
REPRESENTED BY ITS
CHIEF SECRETARY MINISTRY OF
ENVIRONMENT AND FOREST PARYAVARAN
BHAVAN, CGO COMPLEX, LODHI ROAD,
NEW DELHI - 110003
2. THE INSPECTOR GENERAL OF FOREST
GOVERNMENT OF INDIA,

MINISTRY OF ENVIREMENT AND FOREST
PARYAVARAN BHAVAN, CGO COMPLEX,
LODHI ROAD, NEW DELHI-110003

3. NATIONAL AFFORSATION AND
ECO DEVELOPMENT BOARD
MINISTRY OF ENVIREMENT AND FOREST
PARYAVARAN BHAVAN, CGO COMPLEX,
LODHI ROAD, NEW DELHI-110003
4. THE STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
MINISTRY OF ENVIREMENT AND FOREST
VIKASA SOUDHA, BANGALORE-560001
5. CHIEF CONSERVATOR OF
FORESTS (DEVELOPMENT)
ARANYA BHAVAN, BANGALORE-560001
6. CHIEF CONSERVATOR OF FORESTS
BELGAUM CIRCLE, BELGAUM-590001
7. THE DEPUTY CONSERVATOR OF FORESTS
BIJAPUR DIVISION (TERRITORIAL)
BIJAPUR-586101

... RESPONDENTS

(BY SMT. ARCHANA P. TIWARI, AGA FOR R4 TO R7;
SRI J. K. BUKKA, ASGI FOR R1 TO R3)

THESE WRIT PETITIONS FILED UNDER ARTICLES 226 & 227
OF THE CONSITTUTION OF INDIA, PRAYING TO ISSUE A WRIT,
ORDER OR DIRECTION IN THE NATURE OF CERTIORARI,
QUASHING ANNEXURE-S VIZ., THE LETTER DATED 30.12.2013
BEARING REF.NO.DO NO.B-13018/02/2008-BVIII (NAEB)-PART III
BY THE RESPONDENT NO.1 TO RESPONDENT NO.5 AND ALL
PROCEEDINGS PURSUANT TO THE SAME AND ETC.

THESE PETITIONS COMING ON FOR RPELIMINARY HEARING
IN 'B' GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

The petitioner - NGO is aggrieved by the notice - Annexures-S and P issued by the respondents – Union of India, Ministry of Environment and Forest and others.

2. The pith of the matter is, the petitioner was funded for the project of A-forestation. Subsequently, the respondents alleged that the fund is not properly utilized and project is not accomplished and they indicated action for recovery of misutilized amount. Vide Annexure-P, the petitioner is called upon to return Rs.2,88,640/- by way of Demand Draft in favour of the Accounts Officer, Ministry of Environment and Forests, New Delhi, within 7 days. The demand letter is dated 13.02.2014.

3. Except the above, no other action seems to have been initiated against the petitioner by the respondents. It is already three years since the issue of Annexures-S and P to the petitioner. The controversy involved between the

parties since is on disputed fact, the writ jurisdiction is not the proper forum for adjudication of the lis.

Hence, the petition is dismissed.

**Sd/-
JUDGE**

Srt