

**HIGH COURT OF JAMMU AND KASHMIR
ATJAMMU**

PIL No. 25/2017
IA(2/2017) CM(1456/2020)
CM(2263/2020) IA(1/2017)
CM(2809/2020)
CM(2810/2020)
(Through Video Conferencing from Srinagar)

SAVE

.....Petitioner(s)

Through :- Mr. S. S. Ahmed, Advocate.
(On Video conference from office at Jammu)

V/s

State of J&K and Others

....Respondent(s)

Through :- Mr. Ayjaz Lone, Dy. AG
for Forest Department.
(On Video conference from office at Jammu)

Mr. S. S. Nanda, Sr. AAG
for Revenue Department.
(On Video conference from office at Jammu)

Mr. Pawan Kotwal,
Secretary Revenue, Govt. of UT
of J&K
(On Video conference from office at Srinagar)

Smt. Sarita Chauhan,
Commissioner/ Secretary to
Govt., Forest Department, Govt.
of UT of J&K.
(On Video conference from office at Srinagar)

PIL No.19/2017
IA(1/2017)
CM(3152/2019[1/2019])
(Through Video Conferencing from
Srinagar)

Inhabitants of Village Hari and others

.....Petitioner(s)

Through :- None.

V/s

State of J&K and Others

....Respondent(s)

Through :- Mr. Ayjaz Lone, Dy. AG for
Respondent Nos. 1 to 3.
(On Video conference from office at Srinagar)

Mr. S. S. Nanda, Sr. AAG for

Respondent No.4.

(On Video conference from office at Jammu)

WP(C) PIL No.31/2019

CM No. 5704/2019

(Through Video Conferencing
from Srinagar)

Ganesh Dass and another

...Petitioner(s)

Through: None.

v/s

State of J&K and others

.... Respondent(s)

Through: Mr. Ayjaz Lone, Dy. AG for
Respondent Nos. 1 to 3.

(On Video conference from office at Srinagar)

CORAM:

HON'BLE THE CHIEF JUSTICE

(On Video Conference from residence at Srinagar)

HON'BLE MR. JUSTICE RAJESH BINDAL, JUDGE

(On Video Conference from residence)

ORDER
28.10.2020

01. A status report dated 13th October 2020 has been filed by the Principal Chief Conservator of Forest and HOFF, J&K (page-617) giving the details of 50 of the largest encroachers of forest land.
02. The report discloses that action for eviction of the encroachers under the provisions of Indian Forest Act, 1927 has been initiated and final eviction orders have also been passed against some persons.
03. We are informed by Mr. S. S. Ahmed that sixty-four thousand number of encroachers have encroached upon 3.5 lakh kanals of forest land.

04. Having regard to the fact that the respondents have complied with the directions made by us, filed the status report, and appear to be taking action for eviction and retrieving of encroached forest land, we are inclined to accept the prayer made by Mr. Lone for waiving the costs of ₹25,000/- which were imposed by our order dated 3rd September 2020.

05. The order dated 3rd September 2020 directing imposition of costs of ₹25,000/- is hereby recalled.

06. The respondents shall proceed expeditiously in the matter of retrieving of encroached forest land.

07. We are informed by Mr. Lone, Id. Dy. AG that some of the persons against whom the orders have been passed have approached this court by way of writ petitions.

08. Details of these writ petitions be furnished to the Registrar Judicial within one week.

09. It is directed that all matters relating to the encroachment of forest land shall be listed before this Division Bench along with the present public interest litigation on the next date of hearing.

10. List on 21st December 2020.

11. We also exempt personal appearance of Mr. Pawan Kotwal, Secretary Revenue, Govt. of Union Territory of Jammu and Kashmir and Smt. Sarita Chauhan, Commissioner/Secretary to Govt., Forest Department, till further orders.

(RAJESH BINDAL)
JUDGE

(GITA MITTAL)
CHIEF JUSTICE

Jammu
28.10.2020
Raj Kumar