

ITEM NO.6

COURT NO.14

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 27238/2024

[Arising out of impugned final/interim judgment and order dated 03-10-2024 in CWP No. 411/2018 passed by the High Court of Himachal Pradesh at Shimla]

GUMAN SINGH

Petitioner(s)

VERSUS

THE STATE OF HIMACHAL PRADESH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.263295/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 28-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Divyansh Thakur, Adv.
 Mr. Rishabh Kr.Singh, Adv.
 Mr. Rajeev Kr.Gupta, Adv.
 Mr. Mohit Chandras, Adv.
 Tavleen Singh, Adv.
 Vallabhi Shukla, Adv.
 Mr. Bimlesh Kumar Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
 O R D E R

Heard learned counsel for the petitioner.

The petitioner had been found to have encroached the forest land and consequently an order has been passed by the Forest Authorities for evicting the petitioner from the said forest land. This order was challenged by the petitioner before the Divisional Commissioner. The Divisional Commissioner passed an order on 30.11.2023 dismissing petitioner's appeal. The same was challenged

by the petitioner before the High Court of Himachal Pradesh by filing a writ petition, which was dismissed on 03.10.2024 and the High Court came to a finding that the demarcation conducted by the Forest Kanungo has never been challenged by the petitioner and as per that demarcation, the land on which the petitioner has encroached, is a part of the reserved forest area. The petitioner has not been able to give any valid proof about his ownership or possession on the said land.

Under these circumstances, we find absolutely no ground to interfere with the well considered order of the High Court, in exercise of our jurisdiction under Article 136 of the Constitution of India.

The present petition is, accordingly, dismissed along with pending application(s), if any.

(NIRMALA NEGI)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)