



31
6/8/09. 156/2720
98-1-10

**THE SUB DIVISIONAL MAGISTRATE EXERCISING THE
POWERS OF COLLECTOR AT BALACHAUR**

Forest Range Officer Kathgarh, Tehsil Balachaur Distt. Nawanshahr

Versus

- 1) **Balwant Singh S/o Sh. Chuhra** ✓
2) **Mohinder Singh S/o Ram Singh**
All R/o Village Bana Tehsil Balachaur Distt Nawanshahr

Petition U/S 4/5 of Punjab public premises (rent recovery and eviction Act), for the ejection of respondent from the land measuring 9 Kanal 17 Marla comprised in Kh/Kh No. 311/410, Khasra No. 105//5/2(7-0), 6/1 (2-17), and Khewat Khatoni No. 87/100 Khasra no. 101//25/2 (7-0) situated in the area of Village Bana H.B. No. 416, as entered into Jamabandi for the year 2003-04 and for the recovery of Rs 148422/- as Rent on account of illegal use and occupation.

Sir,

The petitioner submits as under: -

1. That the petitioner is fully authori/ed to file the present petition on behalf of the forest department of Punjab.
2. That the land in dispute as fully detailed above in the head note is the ownership of State Govt. and is reserved and declared as protected forests vide -notification No. 860 f.t. III 71/1454 dated 16-8-1971 and the petitioner department is fully and legally Entitled to use the land in dispute for the said purpose as per said notification of Pb. State. After the consolidation some khasra nos. of village Bana were changed and the same differ from the notification at present.

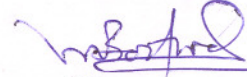
Issue notice u/s 4
for 19/1/07 -
J2 3/1/07

- 3 That the respondent have violated the provisions of section 32,33,63,67 of Indian Forest Act 1927 as amended up to date and section 1,2, of the forest Conservation Act 1980 and have also violated the ruling dated 12.12.96 of Hon'ble supreme Court of India in civil writ petition No 202 of 1995 titled T.N. Goda Verman Vs Union of India, Wherein it has been held that no forest land can be used for non-forest purposes without prior approval of the Central Government.
4. That the petitioner constituted a committee to assess the rent (Theka) of land in the area comprising Sarpanches, Panches and panchayat members etc. of villages and they submitted their report to petitioner. As per the report the rent has been assessed to the tune of Rs. 8000/- to Rs. 10000/- per year.
5. That the petitioner is in illegal and un-authorized possession over the land in dispute and is threatening to cultivate the same illegally and forcibly and inspite of repeated requests of the petitioner the respondent did not agree to accept the claim of the petitioner as owner and flatly refused a day before tilling the present petition.

It is therefore prayed that the respondent may please be ordered to hand over the vacant possession of their land in dispute to the petitioner and the petitioner be ordered to be put in possession of the land in dispute and further amount of Rs. 148422/- may kindly be ordered to be

recovered from respondent on account of illegal use and occupation of forest land in the interest of law and justice.

Submitted by



(Forest range Officer)

Kathgarh,

Tehsil Balachaur

Distt. Nawanshahr



Through Harjeet Singh Advocate

VERIFICATION

Verified that the contents of petition from para no. 1 to 5 are true and correct to the best of my knowledge and belief and nothing has been kept concealed therein. Verified & signed at Ropar

On dated _____

Submitted by



Forest Range Officer

Kathgarh,

Tehsil Balachaur

Distt. Nawanshahr