

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 8820/2019

JAIPUR DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

HEMANT KUMAR RAJORIA & ORS.

Respondent(s)

WITH

C.A. No. 8967/2019 (XVII)

(IA No.179185/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.179189/2019-STAY APPLICATION)

Date : 28-03-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE DIPANKAR DATTA

For Appellant(s) Dr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Mr. Kshiti Nim, Adv.
Mr. D. K. Devesh, AOR

Mr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Mr. Anuj Bhandari, AOR

For Respondent(s) Ms. Shobha Gupta, AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Ruchi Kohli, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. Madhav Sinhal, Adv.
Mr. Amit Sharma B, Adv.

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

Having heard counsel for the parties and also having seen the materials on record, the Court is not satisfied with the contentions of the State that the forest has been substantially

restored, save and expect the structures omitted under the Forest Conservation Act. The steps taken to restore by way of dismantling the prohibited structures, which had come up without the permission of the Union Ministry of Environment and Forest and permanent nature of the fencing which is apparently even on the materials on record placed by the appellant, reveals an unsatisfactory state of affairs.

In the circumstances, the Principal Secretary, Ministry of Forest, State of Rajasthan shall visit the Galta valley and note the nature of construction carried out on the site as well as the debris, if any, in respect of the demolition which is said to have been undertaken of the constructed portions. According to the resolution of the Jaipur Development Authority dated 27.02.2023, the area has been handed back to the forest department.

The affidavit shall be filed after inspection. The inspection shall be after notice to the respondent to enable them to be present at the site during inspection. The report shall also annex such photographs, as are relevant, for the perusal of the Court. The affidavit shall be placed on record within six weeks.

List thereafter.

(HARSHITA UPPAL)
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)
COURT MASTER (NSH)