

2025:PHHC:085078



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

294

**CWP-18483-2025
Date of Decision: 14.07.2025**

MOHAMMAD FURKAN

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Inderjeet Singh, Advocate
for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

Mr. Abhimanyu Balyan and Ms. Raina
Godara, Advocates for respondent No.4

VINOD S. BHARDWAJ, J. (ORAL)

Aggrieved of the determination of the value of 868 Eucalyptus trees by the Haryana Forest Development Corporation and being offered for auction by the Gram Panchayat, the instant writ petition has been filed.

The following order was passed on 07.07.2025:

“The issue, which has been raised before this Court, by the petitioner, is with regard to the value determined, qua 868 trees of Eucalyptus, by the Forest Department concerned. Learned counsel for the petitioner submits that the said Eucalyptus trees are located within the Panchayat land, and the Deputy Commissioner, Yamuna

Nagar, on the recommendations of Deputy Forest Conservator, has fixed the value of the said Eucalyptus trees to Rs.15,49,916/-, whereas, the value of these trees, is more than Rs.50,00,000/-, and therefore, the entire Govt. machinery is in process to sale the said Eucalyptus trees, on a throw away price. He further submits that now the auction is scheduled to be held on dated 16.07.2025.

Notice of motion.

Mr. Bhupender Singh, learned Addl. AG, Haryana, waives service and accepts notice on behalf of the respondents/State of Haryana. He seeks some time to file response to the instant petition.

The asked for request is accepted.

List this matter on 14.07.2025, for arguments.

On the next date of hearing, the Deputy Commissioner concerned, shall inform to this Court, by filing his/her personal affidavit, with regard to the formula adopted for evaluation of reserve price of these 868 Eucalyptus trees.

In absence of non-compliance of the directions (supra), the Deputy Commissioner concerned, shall cause his/her personal appearance before this Court, on the date fixed.

It is open for the Deputy Commissioner concerned, that in case he finds that the reserve price of the trees (supra), has not been rightly evaluated, he is at liberty to get fresh evaluation from the Forest Department concerned.

To be taken up immediately after the urgent list.

It is made clear that on the next date of hearing, no request for an adjournment on behalf of either of the parties concerned, shall be entertained.”

On resumed hearing today, an affidavit of Parth Gupta, I.A.S., Deputy Commissioner, Yamuna Nagar has been filed. It has been set out in the said affidavit that on receipt of the request of the Gram Panchayat vide Resolution No.2 dated 26.09.2023, as forwarded by the Block Development and Panchayat

Officer, the Divisional Forest Officer was directed to assess the valuation of the 868 Eucalyptus trees standing on the panchayat land. A report dated 24.07.2024 was sent by the Divisional Forest Officer that the rate has been fixed as per the purchase price of the Haryana Forest Development Corporation. It is averred that the above Minimum Reserve Price was determined on the basis of valuation given by the Department of Forest and that the same may not necessarily be a price for disposing of all the Eucalyptus trees as an open auction is held for the same and the actual price may be higher.

Learned counsel for the petitioner submits that the petitioner is ready and willing to purchase the said 868 Eucalyptus trees for the sum of Rs.50,00,000/- in case there is no other person who bids for the said value. The petitioner- Mohammad Furkan is also present today in Court and has been identified by his counsel. He also reiterates the aforesaid statement made by his counsel. His statement has also been recorded in Court and the same is taken on record as Mark-X.

Learned counsel for the respondents have no objection to the same.

Resultantly, the present petition is hereby disposed of at this stage allowing the auction proceedings to continue and directing that in the event the auction price being offered by the bidders is less than Rs.50,00,000/-, the said 868 Eucalyptus trees shall be sold to the petitioner for a sum of Rs.50,00,000/-, as has been offered by him today in Court. In the event of the petitioner backing out of his statement made today in Court i.e. to purchase the said 868 Eucalyptus trees at the price offered by him today in Court (in case the bid amount remains less than

Rs.50,00,000/-), the differential amount shall be recovered from the estate of the petitioner. The aforesaid order and conditions have been accepted by the parties.

Disposed of in above terms.

JULY 14, 2025.

Rajender

**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*