

M.C. Mehta Vs. Union of India (Uoi) and ors., in Re: Arora Service Station

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Court : Supreme Court of India

Decided On : May-11-1999

Reported in : (1999)9SCC208

Judge : S.Saghir Ahmed and; M. Jagannadha Rao, JJ.

Acts : [Indian Forest Act, 1927](#) - Sections 4, 20, 30

Appeal No. : IA No. 439 in IA No. 18 in W.P. (C) No. 4677 of 1985

Appellant : M.C. Mehta

Respondent : Union of India (Uoi) and ors., in Re: Arora Service Station

Judgement :

S.Saghir Ahmed and; M. Jagannadha Rao, JJ.

1. Mr Rakesh Dwivedi, learned Senior Counsel appearing on behalf of the applicant has contended that under the notification issued under Section 4 of the [Indian Forest Act, 1927](#) the petitioner had filed the claim which was disposed of by the Forest Settlement Officer with the finding that the petrol pump does not fall within the ridge area. It is contended by him that a notification under Section 20 has not yet been issued. That being so, the claim that the entire area is a reserved forest cannot be accepted unless a notification under Section 20 is produced before us which shall be done by the counsel for the opposite side within two weeks. Mr M.C. Mehta has, however, placed before us a notification dated 10-4-

1980 by which the entire area was constituted as protected forest under Section 30 of the Forest Act. In this notification the southern boundary of the central ridge has been shown as Sardar Patel Road up to Dhaula Kuan Roundabout. This indicates that the petrol pump in question falls within the ridge area. The effect of this notification shall be considered when the case is next listed. A copy of the notification, if issued, under Section 20 shall also be placed before us. List after summer vacation.

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