

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.4394 of 2023

Suresh Sao Petitioner(s)
Versus
The State of Jharkhand & Ors. ... Respondent(s)

CORAM: SRI ANANDA SEN, J.

For the Petitioner(s)	:	Mr. Avishek Chandra, Advocate Mr. Rama Kant Tiwari, Advocate
For the Respondents	:	Mr. Indranil Bhaduri, SC-IV Mr. Suman Marandi, AC to SC-IV
For UOI	:	Mr. Prashant Pallav, ASGI

9/03.09.2026 One of the prayers in the writ petition is for a direction to the respondents to consider to divert the scheduled construction of road from the proposed layout. This is construction of the bypass road along Chatra town connecting NH-99 (New NH-22) and NH-100 (New NH-522) of the State.

2. On the last date, it was submitted by the petitioner that if the alignment of the layout is diverted, it can save 300 full grown trees, which are over the land of this petitioner. The issue, whether the land belongs to the petitioner or not, will be considered later.

3. Considering the submission of the petitioner, on the last date, this Court directed the respondents to inspect the place and inform that as per the present alignment, how many trees will have to be felled and whether there is any possibility of diversion to save the trees. Interim order was passed, not to make any construction of the road over the area.

4. Today, learned counsel appearing for the State, SC IV, on instructions from his client, especially from the Executive Engineer, informs that as per the present alignment in the area including the forest area, 13681 (thirteen thousand six hundred eighty one) trees need to be cut down. He submits that all the trees are full grown trees.

5. These 13681 trees, that too full grown, are not a small

number. Cutting of full grown trees in the forest area (even outside forest area) in such a huge number, impacts ecology and environment. Our world is not exclusively reserved for the human beings, it is also the home for all animals, birds etc. Forest does not only mean trees. It means animals, birds and other insects and also other forms of life. It is the entire eco system. Even if compulsory afforestation is done, even to the extent of planting large number of sapplings, it cannot substitute or replace the existing environment and the eco system. It takes more than 100 years for planted sapplings to transform into a full grown trees and forest, but within these 100 years, much irreparable damage is already done to environment and the ecology. We are confronting natural disasters very frequently. Such frequency is increasing day by day. The effect of these disaster is enormous and is definitely irreparable. Though the disasters are termed as “natural disasters”, but most of them are triggered by human beings. To achieve the purpose of travelling a shorter distance by few miles, the forest and environment including the flora and fauna and the wildlife is being destroyed. These huge chunk of trees are not merely a canopy, but are the lungs, which cannot be allowed to be destroyed by cutting them indiscriminately on the pretext of development. Time has come when these “developmental disasters” should be minimised, wherever it is possible. Time has also come to consider to travel a few miles more and a few hours more, rather than accepting or allowing indiscriminate felling of full grown trees in large scale. We should definitely come out with some solution. Solution, not for this generation but for the future, as this generation is only the custodian of the environment, which has to be passed on to the next generation.

5. Considering the above and also considering the communication dated 02.09.2026 of the Executive Engineer, NH Division, Hazaribagh (kept on record), wherein it has been brought to the notice that 13681 trees will be cut down, which have been identified for the project, I direct the petitioner to implead two

Ministries of Union of India, i.e., Ministry of Environment, Forest & Climate Change and also the Ministry of Road Transport and Highway as respondents Nos.7 and 8 in this writ petition.

6. Learned Senior Counsel Mr. Prashant Pallav, ASGI is present in this Court and accepts notice on behalf of Union of India.

7. In the meantime, by way of interim measure, considering the large number of trees, which have been identified for this project to be felled, it is directed that none of these trees will be cut down till further orders of this Court. Any construction of the proposed road, which requires cutting down of these trees, is stayed. However, it would be open to the agencies to revisit the issue of re-alignment of the road.

8. The newly added respondents are directed to file counter affidavit within six weeks.

9. List this case thereafter.

10. Let copies of this order be communicated to learned A.S.G.I. and learned S.C. IV.

(ANANDA SEN, J.)

03.09.2026

*R.Kumar
Uploaded on 03.09.2026*