

Order-5  
08/07/2020

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Petitioner alongwith the counsel present.

DPP for state present.

Representative of Forest Department also present.

Petitioner through instant petition is seeking superdari of walnut bark seized by the Forest Official in case No. 07 dated: 24.01.2020.

Arguments heard and record gone through.

From the perusal of the record it is admitted position that walnut bark was recovered by the Forest officials from the possession of petitioner. Schedule-I of Khyber Pakhtunkhwa Forest Ordinance 2002 deals with the list of protected and prohibited trees. Walnut tree has been clearly mentioned in the said schedule. Section.6 of Khyber Pakhtunkhwa Compensation for the forest offences and value of Case property Rules, 2004 further elaborate that walnut bark is a prohibited item. Petitioner at present has failed to produce any permit, license or lawful authority for possessing and transporting the seized walnut bark.

In view of above discussion petition in hand is dismissed. Record requisitioned be returned to quarter concerned. File be consigned to record room after completion and compilation.

Order Announced  
08.07.2020

  
FARMANULLAH  
Senior Civil Judge  
Orakzai at Baber Mela  
Farman Ullah  
Senior Civil Judge,  
Orakzai at Baber Mela.