

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**M.A. No. 149 of 2013
M.A. No. 1040 of 2013 to M.A. No. 1043 of 2013,
M.A. No. 1083 of 2013, M.A. No. 40 of 2014, M.A. No. 361 of 2014
&
M.A. No. 373 of 2014
In
Original Application No. 149 of 2013**

Dr. P.C. Prasad & Ors. Vs. Govt. Of NCT of Delhi & Ors.

**CORAM: HON'BLE MR. JUSTICE M. CHOKALINGAM, JUDICIAL MEMBER
HON'BLE DR. A. A. DESHPANDE, EXPERT MEMBER**

Present: Applicant: Mr. Aditya Prasad, Applicant No. 2 and Mr. Rajeev Mahuntal, Applicant No. 3, Mr. Pranjal Kishore, Ms. Vallari Sheel (TERI), Mr. Rajul Jain, Adv. Ms. Esha Dutta Adv. Mr. Amit Verma, Adv. along with Mr. Dhruv Verma, Mr. Nitin Verma, Ms. Stuti Sumbroi, Adv. and Mr. Vidhur Mohan, Adv.

Respondent Nos. 1 to 4: Mr. Sanjay Dewan, Adv. Mr. Manoj Kr. SE PWD and Mr. Prasanth Rajgopal, DCF (West) Mr. Salauddin Khan, Adv. MoEF Mr. Manish Srivastava, Adv. BSES Rajthani Power Ltd. Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal, LO

Date and Remarks	Orders of the Tribunal (Vacation Bench)
Item No. 2 June 16, 2014	<p>The Applicants and also the Learned Counsel for Respondent 1 to 4 are heard.</p> <p>The Applicant would submit that after passing of the order on 29th May, 2014 that till the next date of hearing no trees should be cut without taking clear orders of the Tribunal and contrary to the Order and in disobedience of the same the Respondents continued to fell and cut the tress on the next day which necessitated the Petitioner to make an Application in M. A. No. 361 of 2014.</p> <p>The Learned Counsel appearing for the Respondents flatly denying the above contentions would submit that not even one tree was cut after the passing of the order on 29th May, 2014 and the reply to that effect would be shortly filed.</p> <p>In so far as M.A. No. 373 of 2014 is concerned it is an Application for production of the Original documents pertaining to the permission given to the respondents for felling and cutting of the trees for the project in question and also to maintain the <i>status QUO</i> in respect of the permission granted by the Forest Department to the Respondents. The</p>

Learned Counsel appearing for the Respondents seeks time for filing reply thereon.

After the initiation of the proceedings number of modifications of the Original order to maintain the *status QUO* have been made by the Tribunal and hence, under such circumstances no question of granting any directions to maintain *status QUO* of the permission originally given by the Forest Department in favour of the Respondents would arise now. However, it is an admitted position that the original documents of permission initially granted in favour of the Respondents by the Forest Department have not been produced before the Tribunal yet. Hence a direction is issued to Respondent No. 2 for production of the all the original documents pertaining to the permission granted for felling and cutting of trees for the project in the next date of hearing for perusal and scrutiny.

Pointing to the earlier order of the Tribunal permitting the Respondents to complete ramp which is a part of the project in question Learned counsel appearing for Respondents would further add that there is an immediate necessity for cutting and felling of 206 trees for competing the ramp work and hence permission has to be granted in that regard immediately.

The petitioners raised their objections. The Respondents are directed to file a detailed Affidavit in the next hearing in that regard to consider their request.

List this matter on 18th June, 2014.

....., JM
(M. Chokalingam)

....., EM
(A. A. Deshpande)

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