

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

**M.A. No. 356 of 2014
In
Original Application No. 121 of 2014**

Yogendra Mohan Sengupta Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present: Applicant: Mr. Pramod Kumar, Advocate
Respondent No.1: Mr. Vishwandra Verma, Adv.

| Date and Remarks | Orders of the Tribunal |
|------------------------------------|--|
| Item No. 5 May 30, 2014 | <p>Learned counsel appearing for the Applicant heavily relies upon the Notification dated 07th December, 2000 where the areas have been declared as green belt under the regulations of the ITP Shimla and also relies upon Order of the Hon'ble Supreme Court of India dated 12th December, 1996 where these areas are to be treated as forest area having been entered in the revenue records of the Government as forest area. According to him, the notification itself refers the area in question as forest area. Thus, no non-forest activity can be carried out in that area and need to be specially protected.</p> <p>We issue Notice to the Respondents by registered post/ acknowledgment due and Dasti as well.</p> <p>Requisites to be filed within three days from today.</p> <p>Learned counsel appearing for Respondent No. 1 waives service, accept Notice and pray for time to file the Reply. Let the Reply be filed within four weeks from today with advance copy to the Learned counsel appearing for the Applicant who may file Rejoinder thereto, if any, within two weeks thereafter.</p> <p>List this case on 30th July , 2014.</p> <p>In the meanwhile, we restrain all the Respondents and particularly the Municipal Corporation of Shimla and the Government State of Himachal Pradesh from raising or permitting any construction in the areas covered under the Notification dated 07th December,</p> |

2000.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(Prof. A.R. Yousuf)

.....,EM
(Dr. R.C. Trivedi)

