

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL**

Original Application No. 143/2014 (CZ)

Fortune Glory Extension Welfare Asso. & 3 Ors. v. M/s Fortune Builders & 2 Ors.

**CORAM: HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

**PRESENT: Applicant : Mr. Shantanoo Saxena, Advocate
Respondent No.1 : Shrey Raj Saxena, Advocate
Respondent No. 2 : Sh. Sachin Verma, Advocate
Mr. M.S. Sengar, Asst. Engineer, OIC**

Date and Remarks	Orders of the Tribunal
Item No. 3 7th July, 2014	<p>Learned counsel for the Respondents pray for time to submit the reply.</p> <p>Let the reply be filed before the next date of hearing.</p> <p>Learned counsel for the Applicant submits that despite the interim orders issued by the Tribunal on the last date of hearing, the Respondents are still raising the construction on the disputed open space measuring about 155 Sqr. Mtrs. as marked in the approved plan (annexure P/4).</p> <p>Per contra, learned counsel for the Respondent No.1 disputes the aforesaid position.</p> <p>We, accordingly, direct the Respondent No. 3 to send the Assistant Engineer in the Office of City Planner, Bhopal Municipal Corporation to make an on the spot inspection of the site in the presence of both the parties on 11th July, 2014 at 11:00 a.m. Both the parties are also directed to remain present at the time of spot inspection. It is further made clear that in case the parties do not join the inspection at the time and date mentioned above, the Assistant Engineer shall be free to carry out the inspection in their absence and submit a report to this Tribunal through the learned counsel for the</p>

Respondent No. 3.

List on **22nd July, 2014** on which date the Bhopal Municipal Commissioner as well as Chief Town Planner, Bhopal Municipal Commissioner shall remain personally present in the Court.

.....,JM
(DALIP SINGH)

.....,EM
(P.S.RAO)

