

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

Original Application No. 261/2015

Rajeev Raheja Vs. Delhi Municipal Corporation & Ors.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant/Appellant(s) : Mr. Rajiv Raheja, Adv.
Respondent No. 1 : Ms. Puja Kalra, adv.
Respondent No. 3 & 4 : Mr. D. Rajeshwar Rao and Mr. Charanjeet Singh, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 10 September 01, 2016	<p>Heard. Perused.</p> <p>Issue raised in the present application is regarding use of the open area referred to in the application as park/green belt area at Gokhale Mkt. Mori Gate Area near Tikona Park Opp. Gate No. 6, Tis Hazari Court, Delhi for illegal running of heavy vehicle workshops and parking of buses and trucks.</p> <p>Learned Counsel appearing on behalf of the NDMC on the last date had suggested a meeting between the NDMC and DCP Traffic Region to find out the solution to the present problem. She submits that such meeting was held but nothing concrete came out as the NDMC officials were of the view that the said open area has to be remain open and cannot be barricaded and eviction drives were being taken to remove the encroachers from time to time. She invited our attention to the reply filed by the NDMC and submitted that the area in Gokhale Mkt. was handed over by the L&DO Department to the Corporation for free movement on 15-09-2010 "as is where is basis" for maintenance purposes and as such</p>

the said area is not a green area but the area meant for free movement. She further submits that this factual situation poses a question as to how this Tribunal would get jurisdiction to entertain the present application for the reliefs as sought.

Learned Counsel appearing on behalf of the applicant concedes to a fact that land in question is not a green area. However, he seeks time to make submissions on the point of jurisdiction raised before us by the NDMC.

List the matter on 19th September, 2016.

.....,JM
(U.D. Salvi)

.....,EM
(Ranjan Chatterjee)

