

Item No.01

(Court No. 2)

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

Through Physical Hearing with Hybrid VC Option)

Original Application No.525/2022
(I.A No.185/2022, I.A No. 57/2023 and I.A No. 635/2023)

Laxmi

...Applicant

Versus

Ministry of Environment, Forests
& Climate Change & Others

...Respondents

Date of hearing: 14.02.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Kaushal Yadav, Advocate for the Applicant
(through VC).

Respondents: Mr. Kumar Rajesh Singh, Advocate for Respondent No.
1-(MoEF & CC).
Ms. Jyoti Mendiratta Advocate for Respondent no. 2-
GNCT of Delhi, Respondent No. 3-DCF and
Respondent no. 6-Commissioner of Police, Delhi.
Mr. Radhey Shyam, SDM, Saket.
Mr. Vipul Pandey, DCF, South (through VC).
Ms. Saumya Soni, Advocate proxy counsel for Ms.
Vrinda Kapoor, Advocate for Respondent no. 4-DDA.
Mr. Virendra Singh, Advocate for Respondent No.5-
MCD.
Mr. M.R. Shamsad (through VC) and Mr. Wasim
Akram, Advocates for Respondent no-7-Hansh Lock
Ashram.
Mr. Prem Kumar, Sub Inspector P.S. Maidan Garhi.

Application under Sections 14 and 15 of the National Green Tribunal Act, 2010.

ORDER

1. Amended status report has been filed by SDM, Saket vide email dated 12.02.2024 and Status Report has been filed by DCF, South Forest Division, Delhi vide email dated 13.02.2024.

2. In compliance of order dated 06.09.2023 Mr. Radhey Shyam Meena, SDM, Saket has appeared Physically and Mr. Vipul Pandey, DCF, South Forest Division, Delhi has appeared through VC and we have interacted with them. Mr. Vipul Pandey, DCF, South Forest Division, Delhi has stated that he has joined recently and he has not visited the land in question and has been informed by his Officials that possession of Khasra numbers regarding which there is no stay from any Court has been taken by the Forest Department. However, he seeks time for verifying the factual position and submitting his response regarding possession and also proposed utilization of the land in question.
3. Learned Counsel for the applicant also seeks time to have instructions from the applicant.
4. List the matter for final hearing on 12.03.2024.
5. In the meanwhile the pleadings may be completed, if not already done, by the concerned respondents.
6. The DCF, South Forest Division, Delhi is directed to take steps to erect proper fence to protect from encroachment the forest land the possession of which has been taken by his Office and also utilize the same for protection and improvement of environment by carrying out proper plantation over the same and to issue instructions that in case any encroachments take place over the same immediate steps be taken to remove such encroachments and that in case of inaction/negligence, action by way of disciplinary proceeding and initiating will be taken against the officials found guilty of inaction/negligence.
7. In view of the facts and circumstance of the case, we also consider personal appearance of Mr. Radhey Shyam Meena, Sub Divisional Magistrate, Saket and Mr. Mr. Vipul Pandey, DCF, South Forest Division, Delhi (Physically) on the next date of hearing to be essential for assisting this

Tribunal in just and proper adjudication of the questions involved in the case. Accordingly they are directed to remain present before this Tribunal on that date.

8. A copy of order be forwarded to Mr. Radhey Shyam Meena, Sub Divisional Magistrate, Saket and Mr. Mr. Vipul Pandey, DCF South Forest Division, Delhi by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 14th, 2024
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