

Item No. 09

Court No. 1

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

M.A. No. 91/2023
In
Original Application No. 85/2023

Mohd. Muslehuddin

Applicant

Versus

Govt. of NCT of Delhi

Respondent

Date of hearing: 02.01.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. A.F. Faizi & Mr. Videh Vaish, Advs.

Respondent: Mr. Narender Pal Singh, Adv. for DPCC
Ms. Jyoti Mendirata, Adv. for DM (North) (Through VC)

ORDER

1. By way of this Miscellaneous Application, applicant is seeking execution of the order dated 13.03.2023 passed in O.A. No. 85/2023.

2. In terms of the previous directions, report dated 21.12.2023 has been filed on behalf of the Delhi Pollution Control Committee stating as under:-

“3. That, in compliance of the Hon'ble NGT order dated 09.10.2023, a joint inspection by officials of Revenue Department and DPCC was carried out on 03.11.2023. Following are the observation of the joint inspecting team:

- 1) *The premises i.e. House No. 330, Pocket-8, Sector A5, Narela, Delhi-110040 is shop of 12.5 Sq. Mtrs. Area and run by Sh. Gulab s/o Smt. Tara Devi.*
- 2) *The plot is allotted by JJ Slum, Delhi and the owner of the plot as per the documents shown during inspection is Smt. Tara Devi w/o Kari Shaho R/o Plot no. 131, Pocket-8, Sector A5, Narela, Delhi-110040.*

- 3) *No plant machinery found installed in premises except one Atta Chakki (non-operational during the inspection) and about 07 half-filled bags of grains/atta and a chair, table found inside the shop and a weighing machine found in front of shop.*
- 4) *MCD has issued license (No. 2307182922403) at the said shop for Atta Chakki in the name of Gulab Atta Chakki.*
- 5) *No hazardous waste scrap found except 01 TV (non-functional), some general waste items like paper and cardboard boxes (gatta), wire, empty bottles etc. found lying on road side/footpath (covered drain) in front of Atta Chakki shop.*
- 6) *No green belt observed near shop except a park across the road.*
- 7) *No such waste found dumped in the park, however some garbage like rotten leaves, road dust, wrappers, wooden board etc. found in front of park near drain.*

*Copy of the inspection report dated 03.11.2023 alongwith Geo-tagged photographs are enclosed herewith as **ANNEXURE-1 (Colly)**.”*

3. Learned Counsel for the applicant is permitted to obtain a copy of the report either from the Counsel for DPCC or download a copy of it from the website and file objection to the report, if any, within a period of four weeks.

4. List this matter on 28.02.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

January 02, 2024
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SN.