

Court No. 1

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

I.A No.852/2023
In
Misc Application in Disposed of Cases No. 56/2023
In
Execution Application No. 15/2023

Shailesh Singh Applicant

Versus

Al-Dua Food Processing Pvt. Ltd. & Ors. Respondent(s)

Date of hearing: 18.01.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Shailesh Singh, Applicant in Person
Respondent: Mr. S.A. Zaidi, Ms. Mansi Chahal & Mr. Ankit Chaudhary,
Adv. for R - 1

ORDER

1. This MA is registered on the basis of the application title “Application for direction and placing additional document on records” filed by the applicant in disposed of misc. application no.56/2023 and connected execution applications.
2. In the prayer clause-I of the MA, prayer is to place documents on record.
3. In the disposed of matter such a prayer for taking documents on record cannot be entertained.
4. Second prayer in the application is to initiate action against the respondents/govt. officers under Section 19(5) of the NGT Act, 2010.
5. Section 19(5) of the Act, 2010 states that the proceedings before the Tribunal are deemed to be the judicial proceedings.

6. Applicant has failed to point out as to how second prayer can be maintained solely under Section 19(5). That a part, we also find that the Tribunal by order dated 11.11.2022 has disposed of the EA No. 33/2022 in EA No.58/2018 in OA No.348/2017 and sent a copy of order of the Tribunal dated 26.09.2019 in EA No. 58/2018 in OA No. 348/2017 to the District Judge, Aligarh entrusting the jurisdictional Civil Court for execution under Section 25(2) of the NGT Act.

7. Learned Counsel appearing for respondent has pointed out that said execution application bearing TC Ex. No. 50/2022 has been dismissed by the Court of Civil Judge Senior Division, Aligarh in default by order dated 14.12.2023 as the decree holder had failed to appear.

8. In the above circumstances, no case is made out to entertain the present misc. application.

9. Thus, M.A. No. 56/2023 is dismissed accordingly.

10. Consequently I.A No.852/2023 is also disposed of.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 18, 2024

I.A No.852/2023

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in Execution Application No. 15/2023

JG.