

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

Original Application No. 501/2023
(I.A. No. 663/2023)

Aarti Joshi

Applicant

Versus

State of Uttarakhand & Ors.

Respondent(s)

Date of hearing: 20.11.2023

**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. Shashank Singh & Mr. Kapil Dev Vishwakarma, Advs.

Respondent: Mr. Pankaj Sharma, Adv. for R - 4 to 6
Mr. Rahul Verma, AAG for the State of Uttarakhand (Through VC)
Mr. Mukesh Verma, Adv. for UKPCB (Through VC)

ORDER

1. In this Original Application, grievance has been raised in respect of illegal felling of trees and violation of environmental norms under the provision of Forest (Conservation) Act, 1980.
2. The Tribunal by order dated 18.08.2023 had constituted a joint Committee and had directed the Committee to visit the place and submit factual and action taken report. The joint Committee has submitted the report on 04.11.2023. A separate report by the District Magistrate has also been filed on 07.11.2023.
3. Learned Counsel appearing for the State of Uttarakhand referring to the report of the District Magistrate has submitted that Public Interest Petition No. 126/2023, Aarti Joshi vs. State of Uttarakhand and Ors. has

also been filed by the present applicant before the High Court of Uttarakhand at Nainital which is pending and this fact has been suppressed in the OA.

4. The Counsel for the applicant is directed to produce a copy of the Public Interest Petition No. 126/2023 as also the orders passed by the High Court in that Petition on the next date of hearing. He is also directed to supply copy of the OA along with all the annexures to the Counsel for the respondent nos. 4 to 6, who has entered appearance today and has submitted that he does not have the copy of the OA. It will be open to all the concerned parties to download a copy of the report of the District Magistrate as also of the joint Committee from the website or to obtain a copy thereof from the concerned Counsel and file objection to the report within four weeks. It will be open to Counsel for respondent nos. 4 to 6 to file the reply/objection before the next date of hearing.

5. Having regard to the submissions noted above, applicant is directed to remain personally present by virtual mode on the next date of hearing.

6. List this matter on 24.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

November 20, 2023
Original Application No. 501/2023
(I.A. No. 663/2023)
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