

Item No.7

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.161/2023
(I.A. No. 837/2023)

Rana Iqbal Singh Jolly & Ors.

...Applicants

Versus

State of Punjab & Ors.

...Respondents

Date of hearing: 14.03.2024

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

Applicants: Mr. Vasu Bhushan Advocate for Applicants.

Respondents: Mr. Karan Sharma and Mr. Rishabh Sharma
Advocates for respondent no. 1 and 3 to 7.

Ms. Sunieta Ojha Advocate for respondent no. 2-PPCB
Mr. Gulshan, RO, PPCB, SAS Nagar (Through VC).

Mr. Dinesh C. Pandey, Mr. Vipul Joshi and Mr.
Dushyant Dahiya, Advocates for Respondent No. 8.

**Original Application has been filed under the provisions of the National
Green Tribunal Act, 2010.**

ORDER

1. Learned Counsel for respondent no. 8 has submitted that PPCB has passed order dated 01.03.2024 for disconnection of electricity connection of respondent no. 8 due to which respondent no. 8 will not be

able to water the trees and greenery in the area and submits that operation of the order may be stayed.

2. Learned Counsel for respondent no. 8 has further submitted that respondent no. 8 is being discriminated against and application of respondent no. 8 for CTO is unnecessarily kept pending on frivolous grounds while CTO has been granted to similarly placed Forest Hill Resort without CLU which is also organizing social functions including marriage parties in the area. The applicant has also selectively targeted the respondent no. 8 and has not made any complaint and initiated any proceedings against other persons organizing social functions including marriage parties in the area.

3. Respondent no. 2-PPCB is directed to file its response regarding grant of CTO to Hill Forest View Resort and other similar Project Proponents in the area **within one month** through **E-filing portal (not through E-mail)** in the **form of searchable PDF/OCR Support PDF** (not in the form of Image PDF).

4. List for further consideration on 26.04.2024.

5. In view of the facts and circumstances of the case and to avoid hardship to the gardeners and to preserve flora and fauna within the premises of respondent no. 8 and till further consideration and passing of appropriate orders in the matter, order for disconnection of electricity connection to the premises of the respondent no. 8 shall remain in abeyance in case electricity connection has not been disconnected and in case of disconnection the same shall be restored.

6. Interim Order dated 30.07.2023 shall continue to operate. However, it is clarified that nothing in this interim order shall bar respondent no. 8 from organizing marriage party or such like social

functions in the premises in question on grant of CLU/EC/CTE/CTO, as the case may be, in accordance with the terms and conditions thereof and the environmental norms.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 14th, 2024
AG