

Item No. 2

(Court No. 2)

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

(Through Physical Hearing with Hybrid V.C. Option)

Original Application No. 622/2023

Hemant Sharma

...Applicant

Versus

Narendra Nath Gaur & Ors.

...Respondents

Date of hearing: 09.10.2023

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

Applicant: Mr. Sushil Kumar Sharma, Mr. Virendra Kumar and Mr.  
Manisha Mishra, Advocates for the applicant.

**Application under Sections 14 and 15(1) (c) read with Section 18(1) & (2) of  
the National Green Tribunal Act, 2010)**

**ORDER**

1. The applicant has filed present application under Sections 14 and 15(1) (c) read with Section 18(1) & (2) of the National Green Tribunal Act, 2010 for directing respondents no. 1 to 8 to stop cutting of trees standing on land measuring 21 acres comprised in Khasra Nos. 32/26/4, 32/26/3, 32/9, 32/10, 32/11, 32/12, 32/19, 32/21, 32/22 and 32/24 in Village Ghari Kotah, Tehsil Raipur Rani, District Panchkula, Haryana and to direct respondent authorities to take appropriate legal action against all the persons involved in illegal cutting of the trees and conducting cumulative impact study of cutting down of green trees.
2. The applicant has submitted that respondents no. 1 to 6 are in possession of above mentioned land which is described in jamabandi as Bagh (Orchard) and is having dense green cover comprising of more than

2000 green trees of different species. Respondents no. 1 to 6 have appointed respondent no. 7 as the caretaker and respondent no. 8 as the contractor for the purpose of illegal felling of the trees and on 18.08.2023 respondents no. 1 to 8 have started illegal felling of the trees without obtaining permission from the concerned authorities to clear the entire land by cutting down more than 2000 green trees. Cutting down of such large number of trees will adversely affect the ecology and well being of the human and animals in the area. The applicant made complaint dated 19.08.2023 to the PCCF, Haryana and complaint dated 22.08.2023 to the police but no action has been taken on the same.

3. The applicant has relied on notification No. S.O.113/P.A2/1990/S.3/93 dated 17.11.1997 and notification No. S.O. 121/P.A 2/1990/S.4/97 dated 28.11.1997 and order dated 01.07.2022 passed by this Tribunal in ***O.A. No. 372 of 2022 titled Green Earth Vs. Deputy Commissioner Kurukshetra*** and Ors.
4. Prima facie, the allegations made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.
5. Let notices be issued to the respondents requiring them to file their replies/responses within four weeks from today by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.
6. Applicant is directed to take requisite steps for service of notices on the respondents and to file his affidavit within one week from today

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at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR  
Supported PDF and not in the form of Image PDF.

7. List for further hearing on 08.11.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

October 09<sup>th</sup>, 2023  
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