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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11441/2021, CM APPL. 35240/2021

PRATAP SINGH PARMAR

.....Petitioner

Through: Mr K.C. Mittal and Mr Yugansh  
Mittal, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY & ORS..... Respondents

Through: Mr. Ashitn Vachher, Advocate  
for Respondent-DDA.

Mr. Anjum Javed, ASC for  
respondent-GNCTD with Mr Faran  
Ahmed and Mr Devender Verma,  
Advocates.

Mr. Sameer Vashisht, ASC (Civil) for  
the respondent Nos. 2 to 4 and 6 with  
Ms. Urvi Kapoor, Advocate.

Mr. Pratap Singh, Advocate  
for Respondent-MCD/SDMC.

**CORAM:**

**HON'BLE MR. JUSTICE NAJMI WAZIRI**

**ORDER**

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**18.11.2021**

The hearing has been conducted through hybrid mode (physical and virtual hearing).

CM APPL. 41018/2021 (fresh by petr. for grant of stay qua illegal plotting and unauthorized occupation)

1. Reply to the petition has not been filed by the respondents. Let reply be filed within the next two weeks.
2. The court is informed that about 50 fully grown trees were cut down in the land in question by R-7 and R-8 without any permission from the Tree Officer and a large-scale construction has been undertaken,

which according to the South DMC is unauthorized. The court is informed that the notices have been issued to the related persons and the demolition has now been fixed on 25.11.2021. The learned counsel for the South DMC seeks some time to file a Status Report in this regard. Let the same be filed before the next date.

3. Surely, as noted on the previous date, this rampant cutting of fully grown trees and large scale construction being carried out, as shown in the photographs, could not have escaped the attention of the local police as well as the concerned authorities. The photographs of the denudation of trees have been reproduced in the previous order dated 06.10.2021. However, this issue has not so far been addressed by the respondents.
4. Let appropriate affidavits be filed by the respondents on or before the next date. The affidavit, which may be filed by the Delhi Police, shall be first approved by the DCP concerned.
5. The learned counsel for the petitioner submits that the construction is ongoing even today. The court is assured by the learned counsel for the Municipal Corporation that all construction at the site has been stopped since it was in breach of the Building Byelaws and a letter has been issued to the SHO concerned on 16.11.2021 in this regard. Let the SHO concerned provide requisite assistance to SDMC.
6. It is a matter of record that in terms of the orders dated 10.02.2021 and 04.03.2021 in CONT. CAS.(C) 660/2020 (*New Delhi Nature Society v. Shri Vinay SheelSaxena&Ors*) this court had directed that all governmental agencies and authorities in Delhi be imparted training by GNCTD apropos the need to preserve the forest and trees

in the NCT and the agencies were to be made aware of the orders passed by this court as well as by the National Green Tribunal ('NGT'). Mr Aditya Prasad, Advocate, who has appeared for the petitioner in that case is present in the court, he says that two workshops have been conducted by GNCTD and in the second workshop only about 20 police officers attended.

7. Surely, that would not be sufficient for the 164 police stations in Delhi. Let GNCTD and the Delhi Police look into the matter and ensure due compliance regarding sensitization and training of officers and personnel who in the first instance are to ensure protection of trees.
8. Renotify on 08.12.2021.

**NOVEMBER 18, 2021/rd**

**NAJMI WAZIRI, J**