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

+ MAC.APP. 863/2018 & CM APPL. 40157/2018

THE ORIENTAL INSURANCE CO LTD Appellant

Through: Mr. Ravi Sabharwal, Advocate.

versus

MEENA & ORS Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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13.12.2019

Despite several opportunities, the appellant/insurer has not taken any steps to bring on record the LR's of respondent No. 5 or to serve them notice.

The appeal is liable to be dismissed.

However, the learned counsel for the appellant seeks one last opportunity to effect the service of notice. It is so granted, subject to appellant planting 100 trees at the Central Ridge in '*Insaaf Bagh*'. The duly authorized representative of the insurance company, shall appear before the DCF (South) on 27.12.2019, who shall indicate to the authorized representative the forest lands under his care where the trees shall be planted. The trees shall be of deciduous indigenous variety and they shall have a nursery age of three and a half years and shall have a minimum height of at least six feet.

The insurance company shall take care of the trees for the next six months. Depending upon the soil type and topography, the DCF may

consider the following types of trees for plantation:-

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| (i) Gular (Cluster Fig) | (ii) Kadamba (Burflower Tree) |
| (iii) Pilkhan (White Fig) | (iv) Jaamun (Black Plum) |
| (v) Bargad (Banyan Tree) | (vi) Mango |
| (vii) Amaltas (Golden Shower)
[Indian Laburnum] | (viii) Mahua (Butter Tree) |
| (ix) Putranjiva | (x) Badh |
| (xi) Sagwan (Teak Wood) | (xii) Safed Siris (Albizia Procera) |
| (xiii) Kala Siris | (xiv) Anjeer |
| (xv) Kathal- Jackfruit | (xvi) Palash |
| (xvii) Arni | (xviii) Bistendu |
| (xix) Rohida | (xx) Medshingi |
| (xxi) Palash/Tesu/Dhak | |

Compliance Report alongwith photographs shall be filed both by the officer concerned and the DCF by 30.01.2020.

List before the Joint Registrar (Judicial) for service upon LR's of respondent no. 5 on 30.01.2020.

NAJMI WAZIRI, J

DECEMBER 13, 2019

RW