

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

Original Application No. 142/2014

Mr. Rajeev Suri V/s Ministry of Urban Development & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant / Appellant : Mr. Rajiv Suri, In person
Respondent Nos. 1,3&5 : Mr. B.V. Niren, CGSC**

Date and Remarks	Orders of the Tribunal
Item No. 1 August 4, 2014	<p style="text-align: center;">Heard. Perused.</p> <p>The Applicant has moved this application under Sections 14, 15, 19 & 20 read with Section 18 of the National Green Tribunal Act, 2010 for taking exception to indiscriminate excavation of soil for construction of basement reaching to the depth of 60 feet or so and its commercial disposal, and for stay of such activities undertaken by the Respondent No. 2 (NBCC Ltd.), and for restitution of the said excavated portion of the earth at Kidwai Nagar East, New Delhi.</p> <p>According to the Applicant, he is not challenging the EC granted to the project construction undertaken by the Respondent No. 2 (NBCC Ltd.) but taking exception to the act of excavation which amounts to mining of soil and the cause of action for the same arose on the start of the implementation of the project in question. He refers to para-5 of the application as the statement made by him in respect of the limitation governing the present application. However, we do not find any candid and precise statement regarding fact of starting of the implementation of the project in question.</p> <p>The Applicant in person submits that he would clarify the said fact precisely by adding to the application specific paragraph</p>

regarding limitation as envisaged under Form-1 prescribed under the National Green Tribunal Practice and Procedure Rules. He seeks liberty for doing so. Liberty is granted.

Necessary amendment to be made by the Applicant forthwith.

Issue Notice to the Respondents by registered post/acknowledgment due and Dasti as well upon necessary amendment being made by the Applicant in the application. Learned Counsel appearing on behalf of the Respondent No. 1, 3 & 5 waives service of notice subject to he being furnished with the copy of the amended application. Requisites to be filed within three days from today.

We are informed that an original Application No. 134/2014 in respect of the subject matter before us in this petition is pending and is listed on 12.08.2014. Notice made returnable on 12th August, 2014.

List the matter along with application no. 134/2014 on 12th August, 2014.

....., JM
(U.D. Salvi)

....., EM
(Dr. G.K. Pandey)

....., EM
(Ranjan Chatterjee)