

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

**Original Application No. 462 of 2015
(M.A. No. 1057 of 2015)**

**Hotels and Guest Houses Association Mahipalpur
Vs.
Delhi Pollution Control Committee & Ors.**

**CORAM : HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER**

Present:

Applicant:	Mr. Anunaya Mehta, Adv.
Respondent No. 2 :	Mr. Balendu Shekher, Mr. Akshay Abrol and Ms. Eishaan Bahuguna, Adv.
Respondent No. 3 :	Mr. D. Rajeshwar Rao and Mr. Charanjeet Singh, Adv. for Delhi Police
Respondent No. 7:	Ms. Sakshi Popli, Adv. for DJB

CGWA:

	Mr. Sanjeev Ralli, Adv. and Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee
	Mr. Matwar Singh, PS. Vasant Kunj (S), New Delhi
	Mr. B.V. Niren, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 06 May 23, 2016 <small>A</small>	<p>Original Application No. 462 of 2015</p> <p>Heard and perused.</p> <p>In the present Application the Hoteliers and Guest Houses Association Mahipalpur at New Delhi has questioned three pre-conditions for grant of consent to operate and/or consent to establish namely:-</p> <ol style="list-style-type: none">1. Licence from the Local Health Authority i.e. South Delhi Municipal Corporation in the present case.2. Licence from Delhi police under Eating House Registration Regulations, 1980.3. Copy of the Delhi Jal Board Registration. <p>Out of these conditions, conditions number 1 and 2 have been given up by DPCC. It is submitted on behalf of DPCC that the condition number 3 which requires registration with the Delhi Jal Board has environmental implications in as much as it concerns the consumption of water by these commercial organizations.</p>

Learned counsel appearing for the Applicant submitted that DPCC is having discriminatory attitude in dealing with the Big Hoteliers and small hoteliers whereby no such condition has been put to the big hoteliers who consume lot of water. This fact is refuted. Moreover, this cannot be the ground before us for resolution of the controversy involved in the present case. Infact the Applicant hoteliers associations wanted a direction to the DPCC to have such direction which has direct and immediate nexus to the environmental standards. We do see such nexus between the condition imposed by the DPCC and the environment as envisaged in the Environment (Protection) Act, 1986 we therefore do not see any reason to continue with the present application.

At this stage Learned counsel appearing for the Applicant wishes to withdraw this Application.

The Application is allowed to be withdrawn and stands disposed of accordingly.

M.A. No. 1057/2015

This Application does not survive for consideration in view of the fact that the main Application itself stand disposed of.

Accordingly, M.A. No. 1057 of 2015 stands disposed of without any order as to costs.

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

.....,JM
(M.S. Nambiar)

.....,EM
(Raghuvendra S. Rathore)

.....,EM
(Prof. A.R. Yousuf)