

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

Original Application No. 238/2015

Anil Uppal & Ors Vs. U.O.I. & Ors.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant/Appellant(s) : Mr. Piyush Sharma, Mr. Aditya Abhyankar, Advs.
Respondent No. 1 : Mr. Vishwendra Verma, Shirali, Advs.
Respondent No. 2 to 5 and 7 to 10 : Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv.
Respondent No. 6 : Mr. Dhruv Kapur, Ms. Deepali, Mr. Siddharth Bhatia Advs.
Respondent No.11 : Mr. Ardhendumauli Kumar Prasad and Mr. Panshul Chandra Advs.
Mr. V. V. Vardhan, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 11 March 29, 2016	<p>We had directed the Haryana State Pollution Control Board and Department of Township and Country Planning to inspect the places in question and file a status Report vide Order dated 5th June, 2015. Importance of this status Report is voiced in the succeeding Order with the following observations:</p> <p><i>“Before we act in the matter, it is necessary that the status report also reveals the particulars of the park and open spaces available in the area and whether they are as per the declaration of the Respondent No. 6 which have been put forth in the present application. As regards the air quality, we will also like to examine the role of the occupants of that area. We, therefore, direct the applicant to place before us the details of the number of dwelling units, number of occupants and number of cars in the said area with reference to occupants. The Respondent No. 6 shall also carryout simultaneous enquiry and place before us the said details as regards the number of dwelling units, number of occupants and number of cars in the area with reference to occupants.”</i></p> <p>Learned Counsel appearing on behalf of the concerned authorities, Respondent Nos. 2 to 5 and 7 to 11 expressed their difficulty in preparing the status Report as desired by this Tribunal.</p>

Our attention is invited to the declaration Annexure-A/2 filed by the Applicant with this Application. Learned Counsel appearing on behalf of the authorities submits that with the cryptic description of the land given in the declaration, it is not possible to file a requisite status Report giving details of the park and open spaces in terms of the declaration-Annexure – A/2. He also points out that no plan-Exhibit-A which forms the part of the declaration has been placed on record.

According to the Learned Counsel appearing for the Applicant, the plan was not available with the Applicant at the time when this Application was filed. Nonetheless, the Learned Counsel appearing on behalf of the authority fairly submits that a sanctioned layout plan which forms the part of this declaration is with the authority and they can file the status Report with reference to such sanctioned layout plan. Learned Counsel appearing on behalf of the Applicant and Respondent No. 6, the Project Proponent have no objection for making reference to such sanctioned layout plan while giving the status Report.

In view of this statement, we expect such status Report to be filed before us on or before the next date. All legal contentions are kept open. Advance copies of the status Report be furnished to the contending parties.

List this matter on 5th May, 2016.

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

		<p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (B.S. Sajwan)</p> <p>.....,EM (Ranjan Chatterjee)</p>
--	--	--

