

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

**Original Application No. 513/2015  
(M.A. No. 1243/2015)**

**Mohd. Ayoub  
Vs.  
NCT of Delhi & Ors.**

**CORAM: 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  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant : Mr. Rahul Choudhary, Ms. Meera Gopal,  
Advts.  
Respondent Nos. 2 : Mr. Tarunvir Singh Khehar for GNCTD  
DPCC : Mr. Narender Pal Singh Adv with Dinesh  
Jindal, LO  
Respondent No. 3 : Ms. Puja Kalra, Adv. for SDMC with Mr. G.S.  
Saini, Health Inspector.**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 08</b> <b>February 26, 2016</b>  ss	<p>This is an application filed under section 14 of the NGT Act, 2010 for direction to closure and relocation of the unit of Respondent No. 5, from the present location and to direct the DPCC to take action for violation of environmental law. The case of the applicant is that he is a resident near the Bakery Unit run by Respondent No. 5, and that unit is operating without any consent as required under air (prevention and control of pollution) act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 from the Pollution Control Board. It is also contended that the unit was earlier closed/sealed in the year 2006 by South Delhi Municipal Corporation in the presence of Respondent No. 3 – SDM, Kalkaji and Delhi Police. It is further submitted that the unit is still operating and the Respondents are not taking any action. It is therefore contended that the unit is to be closed and the Respondent No. 2 – DPCC shall be directed to take action.</p>

Though Notice was served on the respondents including Respondent No. 5, no reply has been filed by any of the respondents. Respondent No. 5 did not even appear before the Tribunal. Vide order dated 29th January, 2016 it was made clear that the application will proceed Ex-Parte against all the Respondents.

Today the learned counsel appearing for Respondent Nos. 1 to 4 is present before the Tribunal. They also admit that Respondent No. 5 has not obtained either the consent to establish or the consent to operate and is running without any legal authority. The learned Counsel appearing for the respondent no. 3 also submitted that Respondent No. 5 has not obtained even the license from the Municipal Corporation, under the Municipal Corporation act. Therefore, it is clear that Bakery Unit of Respondent No. 5 is running illegally without even obtaining license from the Corporation or the consent from the Pollution Control Board which is necessary for establishing and operating the unit.

In such circumstances we direct Respondent No. 1 to 4 to close the Bakery which is being run by the Respondent No. 5 at RZ-3262-A, Street No. 36, Tuglakabad Extension, Delhi-110019 forthwith.

With the above directions Original Application No. 513 of 2015 stands disposed of.

**M.A. No. 1243 of 2015**

The M.A. No. 1243 of 2015 does not survive for consideration as the main application itself stands disposed of.

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

		<p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Prof. A.R Yousuf)</p> <p>.....,EM (Ranjan Chatterjee)</p>
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