BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 459/2015

Rajeev Suri Vs. Commissioner, SDMC & Ors.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant /Appellant Respondent No. 1 Advs. Respondent No. 2

Respondent No. 4

: Mr. Rajeev Suri, Adv. : Mr. Balendu Shekhar, Mr. Vivek Jaiswal,

: Mr. B.V. Niren, Adv. :Mr. Tarunvir Singh, Adv.

Date and Remarks Item No. 02 December 17, 2015 в

Orders of the Tribunal Heard. Perused.

Respondent no. 3 makes a statement that Respondent No. 3, Government of NCT Delhi has no role in the case and as such they do not wish to put in their reply.

Expressing environmental concern about the encroachment of park/green area located in the main market of Defence Colony, New Delhi-110021, more particularly shown in the photographs-Annexure 1 and Plan Annexure 3 to the application, upon construction of toilet, the applicant is seeking its demolition in the present application.

Except bland statement that it is a park/green area there is nothing concrete to substantiate bland statement of the applicant. Contrary thereto are the facts disclosed in the reply of the Respondent No. 1-SDMC, dated 21.11.2015. SDMC reveals in unequivocal terms that the land on which the toilet has been constructed is not a green belt/park as reported by the Horticulture Dept. of the SDMC vide annexure A to the reply. It is further reveled that the construction of toilet block has been done to provide separate facility for women and physically challenged persons in addition to one urinal block which is meant for gents already standing there.

No substantial question of environment, therefore, arises in the present case. In fact, it appears that the construction of the toilet block has been undertaken to provide additional facility for women and physically challenged persons in the Defence Colony market which will promote better sanitary conditions in the locality. Hence, rejected with no order as to cost.

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(Ranjan Chatterjee)

(U.D. Salvi)