

Item No. 01 (Through VC)

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

Execution Application No. 01/2019 (CZ)

In

Original Application No. 106/2015 (CZ)

Aakash Ingle

Applicant(s)

Versus

Commissioner, BMC & Anr.

Respondent(s)

Date of hearing: 14.05.2019

CORAM:

HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER

HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

For Applicant(s):

Mr. Rohit Sharma, Advocate

For Respondent(s):

Mr. Sachin K. Verma, Advocate
for Municipal Corporation

Mr. Om Shankar Shrivastav,
Advocate for Project Proponent

ORDER

Heard the Learned Counsel for the applicant.

In this application under Section 25 and 26 of National Green Tribunal Act, 2010 the applicant is seeking appropriate directions against the respondents for willful and deliberate non compliance of the judgment passed by the Tribunal on 28.02.2019.

Mr. Sachin K. Verma, Learned Counsel appearing on behalf of Municipal Corporation, present in Court, is directed to accept notice and seek instructions immediately. He is further directed to inform the

Commissioner, Bhopal Municipal Corporation to be present before the Tribunal on the next date of hearing. Similarly, Mr. Om Shankar Shrivastav, Learned Counsel for respondent no.2-Project Proponent, present in Court, is directed to accept notice. He may seek instructions before the next date of hearing.

In the meanwhile, the respondents are directed particularly the respondent no.2 not to raise any construction whatsoever in the prohibited zone and anything is added hereafter it will be presumed to be disobedience of the order of the Tribunal.

The Learned Counsel for the applicant is directed to furnish copy of the application to the Learned Counsel for the respondents today itself.

A copy of this order be sent, through e-mail, to the Principal Secretary, Urban Administration for his information and issuance of appropriate instructions to the officers concerned.

A copy of this order be also sent, through e-mail, to the Senior Superintendent of Police, Bhopal for his information and to issue necessary instructions to the SHO, Shahpur Police Station to ensure that no construction whatsoever is raised and he shall record a videography of the present condition at the site. The CD of

the videography be deposited to the Registrar, Central Zonal Bench, Bhopal by tomorrow.

List the matter on 21st May, 2019.

Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

May 14, 2019
JG

