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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1346/2015 and C.M. No. 35024/2016; 640/2017; 4383/2017; 4384/2017; 8565/2017; 18856/2017; 26231/2017; 26232/2017; 26233/2017; 36912/2017; 40871/2017 & 51694/2019**

COURT ON ITS OWN MOTION
(AIR POLLUTION IN DELHI)

..... Petitioner

versus

UNION OF INDIA & ORS

..... Respondents

+ **W.P.(C) 2115/2015 and C.M. Nos. 7298/2015; 10198/2017 & 53267/2018**

SUDHIR MISHRA

..... Petitioner

versus

MINISTRY OF HEALTH & FAMILY WELFARE
& ORS.

..... Respondents

+ **W.P.(C) 6622/2018 and C.M. Nos.25337/2018; 25338/2018 & 25339/2018**

MIHIR GARG & ANR

..... Petitioners

versus

GOVT OF STATE OF NCT & ANR

..... Respondents

MEMO OF APPEARANCE:

Mr. Kailash Vasdev, Senior Advocate (Amicus Curiae) with Mr. Umrao Singh Rawat & Ms. Shagun Chouhan, Advocates.
Ms. Avnish Ahlawat, Standing Counsel with Ms. Tania Ahlawat, Mr. Nitesh Kumar Singh, Ms. Palak Rohmetra, Ms. Laavanya Kaushik & Ms. Aliza Alam, Advocates for the Respondent in W.P.(C) No. 1346/2015.

Traffic Inspector Pankaj Kumar & SI Granth Singh, from Madhu Vihar Circle in W.P.(C) Nos.1346/2015 & 2115/2015.

Mr. Balendu Shekhar, Mr. Krishna Chaitanya, Mr. Rajkumar



Mauryaa & Mr. Sriansh Prakash, Advocates along with Mr. Dinesh Jindal, Law Officer, for Respondent/ DPCC.

Ms. Puja Kalra, Standing Counsel and Mr. Virendra Singh, Advocate for MCD in W.P.(C) 1346/2015.

Ms. Aishwarya Bhati, ASG with Mr. Ajay Digpaul, CGSC and Mr.Kamal Digpaul & Ms. Swati Kwatra, Advocates for Respondent/ UOI in W.P.(C) 1346/2015.

Mr. Om Prakash, Mr. Vishal Batra, Mr. Chandresh Pratap, Ms. Swati Mishra & Mr. Parnashree Banerjee, Advocates for Respondent/ Railways in W.P.(C) 1346/2015.

Mr. Anil Mittal & Mr. Kumar Shubham, Advocates for State of U.P. in W.P.(C) 1346/2015.

Mr. Sanjay Katyal, Standing Counsel with Mr. Nihal Singh, Advocate for Respondent/ DDA in W.P.(C) No.1346/2015.

Dr. Abhishek Atrey & Mr. Vaibhav Kandpal, Advocates for Respondent No.29/ CAQM in W.P.(C) 1346/2015.

Mr. Puneet Taneja & Ms. Laxmi Kumari, Advocates for Respondent/ NTPC in W.P.(C) 1346/2015.

Mr. Vivek Goyal, CGSC and Mr. Gokul Sharma, Advocate for Respondent No.2 in W.P.(C) Nos.1346/2015 & 2115/2015.

ASI Devender Singh, Pairvi Officer (Traffic) in W.P.(C) Nos.1346/2015 & 2115/2015.

Ms. Kritika Gupta, Advocate for Respondent No.4/ DDA in W.P.(C) No.2115/2015.

Mr. Gautam Narayan, Additional Standing Counsel with Ms. Asmita Singh, Mr. Unmukt Gera, Ms. Pragya Barsaiyan & Mr. Harshit Goel, Advocates for Respondent/ GNCTD in W.P.(C) No. 6622/2018.

Mr. Pushkar Sood, Advocate for Respondent/ DMRC in W.P.(C) Nos.1346/2015 & 2115/2015.

Mr. Rishikesh Kumar, Additional Standing Counsel with Mr.Mohammad Zaid, Mr. Aditya Raj & Mr. Sudhir Kumar Shukla, Advocates for Respondent/ GNCTD in W.P.(C) 1346/2015.

Ms. Sakshi Popli, Additional Standing Counsel for NDMC in W.P.(C) 1346/2015.

Ms. Mehak Nakra, Additional Standing Counsel for Respondent/ GNCTD in W.P.(C) 1346/2015.



CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
01.02.2023

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1. On 14.11.2022, the learned Amicus was granted time to file a comprehensive report along with suggestions to protect the forest cover. Learned Amicus has filed a report dated 31.01.2023. The Amicus has given detailed and specific averments in respect of illegal construction activities which have been carried out in Chhattarpur Area (Southern Ridge). He has also stated that there are encroachments in Asola, Moradabad Pahadi, Central Ridge and Northern Ridge. His contention is that the forest cover is being reduced gradually on some pretext or the other.
2. Learned Amicus has also brought to the notice of this Court various orders passed from time to time for removal of encroachments in respect of Asola Bhati Wildlife Sanctuary and Central Ridge wherein the Court has directed removal of encroachments. The learned Amicus states that though status reports have been filed regarding removal of encroachments but the fact is that the encroachments still exists.
3. Let a detailed affidavit be filed by the Commissioner (Municipal Corporation of Delhi), the Vice-Chairman (Delhi Development Authority), the Union of India and the Government of NCT of Delhi to the report filed by the learned Amicus.
4. The affidavit to be filed by all the Respondents shall also include a



positive statement in respect of action taken by them from time to time for removal of encroachments and shall also include an updated status report regarding the same. The same is to be done positively within two weeks.

5. List on 13.03.2023.

SATISH CHANDRA SHARMA, CJ

SUBRAMONIUM PRASAD, J

FEBRUARY 1, 2023

B.S. Rohella