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

+ CONT.CAS(C) 778/2021

BHAVREEN KANDHARI

..... Petitioner

Through: Mr. Aditya N. Prasad and Ms. Dhriti Chhabra, Advocates.

versus

GYANESH BHARTI & ORS.

..... Respondents

Through: Mr. Sanjeev Sabharwal, Standing Counsel for SDMC/R-1.
Mr. Gautam Narayan, ASC for GNCTD.
Mr. Shadan Farasat, ASC, GNCTD and Mr. Bharat Gupta, Advocate along with Mr. Satbir Singh, DDH, PWD and Mr. A.K. Singh, EE(C), PWD.
Mr. Naushad Ahmed Khan, ASC, GNCTD along with Mr. Zahid, Advocate for Delhi Police.
SI Deepak Tanwar, PS-Vasant Vihar.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **29.11.2021**

The hearing has been conducted through hybrid mode (physical and virtual hearing).

1. Photographs have been shown by the South Delhi Municipal Corporation ('SDMC'), Delhi Police ('DP') and Public Works Department ('PWD'), showing substantial work having been

undertaken in the past three days apropos removal of loose concrete around trees and washing of trees maintained by the authorities. Indeed, the SDMC went ahead and sprayed water on trees which were otherwise covered with dust in Lajpat Nagar area. Similar exercise has also been accomplished by PWD. The collateral benefit of this exercise is relief to the trees, citizens and for bringing down dust-pollution on some arterial roads of the city. It is hoped that this exercise would continue at least for another two weeks so as to mitigate the pollution in these areas. The learned counsel for Delhi Police assures the court that the footpaths shall be kept free of parked cars, so as to make available the footpaths for walking.

2. The RWA, Vasant Vihar has given a compendium listing each tree in its colony. The SDMC acknowledges the same. The said compendium details the variety and approximate age of each tree. The SDMC shall treat the same as a census and number each tree. It shall maintain a proper record of the same. Let Conservator of Forests submit his report to the court within two months. It may coordinate its efforts with the RWA concerned to ensure that the green cover is maintained and augmented.
3. Apropos giving effect to the Public Notice dated 08.10.2015 issued by the Department of Forests and Wildlife, GNCTD, the court is assured by the learned Additional Standing Counsel for GNCTD that concerted efforts shall be made to intimate the public and especially the authorities and public agencies about the need to preserve trees, failing which a penalty of Rs.10,000/- and/or

imprisonment may be imposed upon the party. The Tree Officer shall take appropriate action in this regard, including meetings with the RWAs, so as to generate and augment community participation. Workshops, if so required, may also be conducted in the residential colonies. Appropriate exercise may also be carried out with the assistance of neighbourhood schools because children would be a valuable watch and ward army for protection of trees. Their participation would be very relevant.

4. At request, renotify on 17.12.2021.

NOVEMBER 29, 2021

RW

NAJMI WAZIRI, J