

\$~89

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

+ W.P.(C) 12398/2021

N HARIHARAN

..... Petitioner

Through Mr.N.Hariharan, Sr. Adv. (petitioner in person) with Mr.M.A. Niazi, Mr.Vaibhav Sharma & Mr.Siddharth Yadav, Advs.

versus

MCD AND ORS.

..... Respondents

Through Mr.Gautam Narayan, ASC, GNCTD with Mr.Adithya Nair, Adv.  
Mr.Abhinav S Aggarwal, ASC for Nr.DMC

**CORAM:**

**HON'BLE MS. JUSTICE REKHA PALLI**

**ORDER**

**28.10.2021**

%

1. The present petition has been listed upon an urgent mentioning before Hon'ble the Chief Justice.
2. Even though a formal petition incorporating the relevant facts and grounds is yet to be filed, the petitioner, who appears in person, submits that he has learnt at about 3:30 pm today that a 60 years old peepal tree near his residence A-11, Inderpuri, New Delhi is being illegally cut. The said tree which is located just outside House No.A-7, Inderpuri, New Delhi in the same lane, where the petitioner's house is located. He, therefore, prays that the North Delhi Municipal Corporation (NDMC), Delhi Police and the Office of the Deputy Conservator of Forest be restrained from cutting the aforesaid tree.

3. The NDMC is represented by Mr.Abhinav S Aggarwal, Advocate, who submits that as per his instructions, an order has been passed by the Office of Deputy Conservator of Forest, permitting relocation of the said tree. He is, however, not in a position to give any details of the said order.
4. Mr.Gautam Narayan, who appears on behalf of the Delhi Police and the Office of Deputy Conservator of Forest, is also not in a position to inform the Court about any such order.
5. In these circumstances, I am of the view that grave and irreparable harm will be caused not only to the environment but also to the residents of the locality if the said tree is permitted to be cut without examining petitioner's plea that the alleged action is not backed by a any valid order.
6. It is, therefore, directed that till the next date, the NDMC, the Delhi Police and the Office of Deputy Conservator of Forest will ensure that the aforesaid tree located outside House No.A-7, Inderpuri, New Delhi, is not removed or harmed in any manner.
7. The petitioner is granted time to file a formal petition in accordance with the Rules by 09.11.2021.
8. List the petition before the Roster Bench on 11.11.2021.

**REKHA PALLI, J**

**OCTOBER 28, 2021**

kk