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

+ **CONT.CAS(C) 830/2022 & CM APPL. 34629/2022**

NEW DELHI NATURE SOCIETY Petitioner

Through: Mr. Aditya N. Prasad, Advocate.

versus

ANANT KUMAR AND ORS Respondents

Through: Mr. Shadan Farasat, ASC for
R-7/Forests Department.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **08.08.2022**

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

CM APPL. 34630/2022 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed-off.

CONT.CAS(C) 830/2022 & CM APPL. 34629/2022

3. This contempt petition arises out of alleged contempt of an order passed in a pending matter i.e. CONT. CAS. (C) No. 660/2020.
4. It is the petitioner's case that the order of 19.01.2021 has been deliberately breached by the respondents. It required PWD/ respondents to *inter alia*:

"4. Referring to the orders passed by this Court as well as by the NGT, the petitioner submits that the

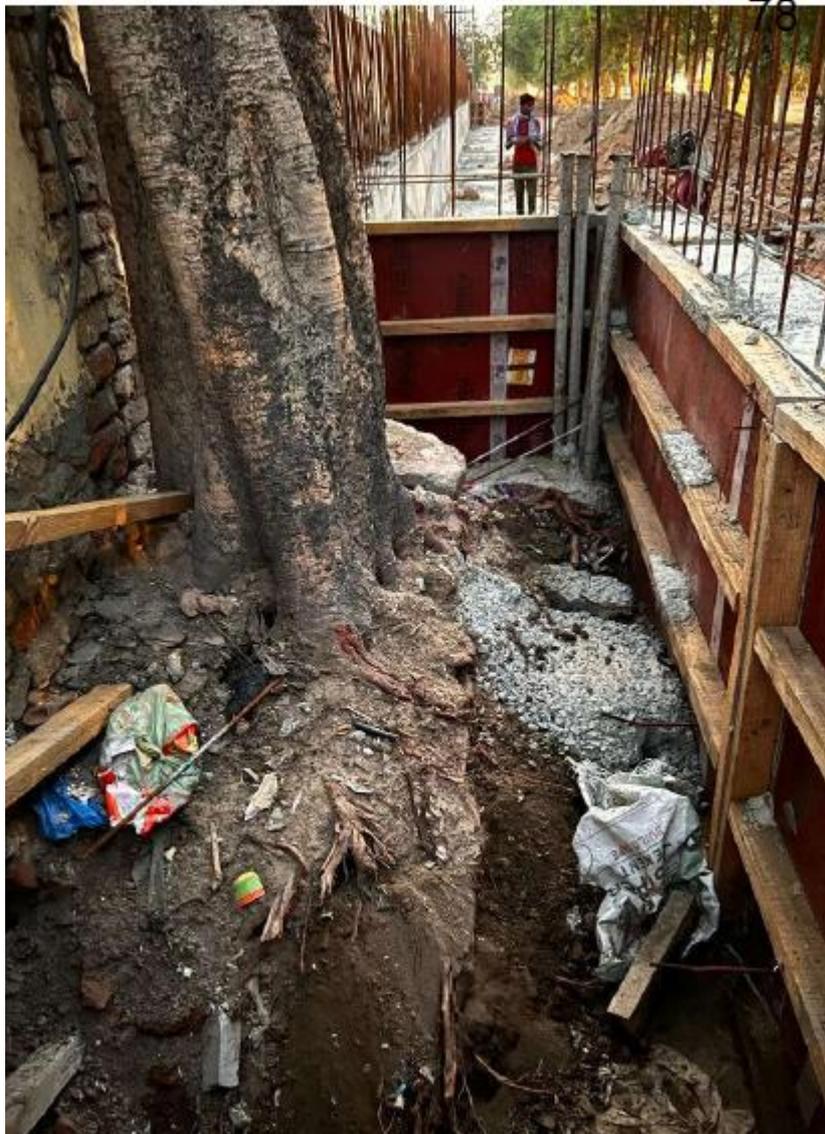
respondents were i) duty bound to comply with the same regarding their ongoing civil works and ii) in all future contracts incorporate a clause that the directions of the learned NGT would have to be strictly followed. Indeed, R-2, the HoD of PWD had duly undertaken to do so before the NGT. There is evident default in compliance.

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7. In view of the above, let due caution be exercised by the PWD apropos the all its ongoing civil works and due cautionary measures be initiated for all future projects.”

5. However, despite the aforesaid directions and duty to care towards the existing trees along the street, the respondents have gone ahead and damaged the trees primarily by damaging/cutting their roots. Heaps of concrete has been poured into the roots, is evident from the photographs hereunder:





6. Issue notice. Mr. Shadan Farasat, the learned ASC accepts notice on behalf of respondent no. 7.
7. Issue notice to the other respondents through ordinary process, Speed Post, approved courier, WhatsApp, Signal, SMS, e-mail, through

other viable modes of electronic service, through counsel as well,
returnable on 01.09.2022.

NAJMI WAZIRI, J

AUGUST 08, 2022
RW