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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ MAC.APP. 978/2018
NEW INDIA ASSURANCE CO LTD Appellant

versus

HIMANSHU SHARMA & ORS Respondents

Through: Mr. Kamal Mohant Gupta and Mr. Amber Shehbaz Ansari, Advocates for R-1 to R-3.

Mr Aditya N. Prasad, Court Commissioner with Mr Harsh Vardhan, Advocate.

Mr. Sameer Vashisht, ASC, Civil, GNCTD.

Mr. Tushar Sannu, ASC for NDMC.

Mr. Sarosh Ali, Advocate for Department of Forest.

Ms. Pratima N. Lakra, CGSC along with Ms. Vanya Bajaj, Advocate for CPWD.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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14.07.2023

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

CM APPL. 35464/2023 (by applicant for directions)

1. Issue notice. Notice is accepted by the learned counsel named above for the non-applicants. At joint request, the application is taken up for disposal.
2. This application seeks the following reliefs:

“...A. Direct the Department of Forest & Wildlife to Geotag each Tree planted on the respective roads and maintain a plantation journal to ensure that the Trees are protected and any attrition is replaced.

B. Direct the land-owning agencies to maintain a Plantation journal for the Trees Planted.

C. Direct the APCCF, Department of Forest and Wildlife, who is monitoring the plantation in terms of the Order dated 05.07.2023, to submit a consolidated report before this Hon’ble Court by 30.08.2023,

D. Direct that finishing works are undertaken on the pavements immediately after plantation of Trees, so as to ensure that the beds of the Tree are secured and no hindrance is caused to pedestrian movement...”

3. The court finds merit in the aforesaid reliefs/directions sought by the applicant.
4. Accordingly, the PWD, the Forest Department and other land-owning agencies shall comply with the aforesaid directions.
5. The court is informed that the monies are lying in the UCO Bank, Delhi High Court. The UCO Bank is directed to file a statement of account in respect to AC No.15530110156933 opened in terms of the directions this court and titled by this court as “Green Delhi Account”. The said statement of account shall be filed every three months in this matter as well as to the Registrar General of this court.
6. Furthermore, the exercise of plantation of trees in Delhi shall continue through the learned Court Commissioners till such time there is money remaining in the aforesaid fund. Additionally, the process of plantation of trees shall be carried out in a continuous manner till such time the court desires the learned Court Commissioners to do so.

7. Mr. Manish Vashisht, Senior Advocate and Court Commissioner, Mr. Sameer Vashisht, the learned ASC, GNCTD and Mr M.A. Niyazi, the learned Court Commissioner, and Ms. Malvika Trivedi, Senior Advocate who are present in court state that there is a great desire at the bar and many lawyers would like to join the process of contributing - both financially as well as their time, in the improvement of the environment, and enhancing the greenery of the city of Delhi. They state that more agencies/persons are desirous to contribute to the “Green Delhi Account”. The desirous persons may do so and furnish their details to the Registrar General of this court. They may take the assistance of the learned Court Commissioners appointed by the court in various matters. Let the details of the “Green Delhi Account” be notified in the first instance, at least for the next two months with a note that the contributions can be made directly by citizens and public spirited entities.
8. The application stands disposed-off in terms of the above.

NAJMI WAZIRI, J

JULY 14, 2023/rd