

# North Delhi Municipal Corporation vs President Budhela Welfare Association on 2 August, 2021

**Bench: Indira Banerjee, V. Ramasubramanian**

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ITEM NO.18

Court 10 (Video Conferencing)

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No(s). 15182/2021

(Arising out of impugned final judgment and order dated 04-02-2021  
in OA No. 515/2019 passed by the National Green Tribunal)

NORTH DELHI MUNICIPAL CORPORATION

Petitioner(s)

VERSUS

PRESIDENT BUDHELA WELFARE ASSOCIATION & ANR.

Respondent(s)

( IA No.84281/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.84279/2021-EXEMPTION FROM FILING O.T. and IA  
No.84278/2021-PERMISSION TO FILE APPEAL )

WITH

Diary No(s). 15754/2021 (XVII)

( IA No.84364/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.84361/2021-PERMISSION TO FILE APPEAL )

Date : 02-08-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s)

Mr. Tushar Mehta, SGI  
Mr. Sanjiv Sen, Sr. Adv.  
Mr. Praveen Swarup, AOR  
Ms. Payal Swarup, Adv.  
Mr. Ameet Singh, Adv.  
Ms. Pareena Swarup, Adv.  
Mr. Raghvendra Shukla, Adv.  
Mr. K.P. Singh, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Permission to file the appeals is granted. Appeals are admitted.

Issue notice to the respondents.

Mr. Tushar Mehta, learned Solicitor General of India appearing on behalf of the appellants submits that the judgment and order under appeal has been passed without notice to the appellants- North Delhi Municipal Corporation (CA D. No. 15182 of 2021) and the South Delhi Municipal Corporation (CA D. No. 15754 of 2021). Accordingly, there will be stay of operation of the judgment and order under appeal. It is made clear that the directions of the Court in M.C. Mehta vs. Union of India reported in (2009) 17 SCC 683 with regard to the use of parks shall strictly be adhered to, and in no circumstances, shall use of parks for the purposes as mentioned in the said judgment be permitted for more than 10 days in a month.

(MANISH ISSRANI)  
COURT MASTER (SH)

(MATHEW ABRAHAM)  
COURT MASTER (NSH)