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

+ **W.P.(C) 8733/2015**

RAVI CHOPRA

..... Petitioner

Through Mr. Abhay Kumar, Advocate

versus

THE M.C.D. & ORS

..... Respondents

Through Ms. Reema Khorana, Advocate for R-
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CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **20.09.2016**

Review Petition No. 402/2016

At the outset this Court notes that there is a typographical error in the order dated 16.08.2016. The co-owner has been described as respondent no.2; it should be respondent no.3. This correction is made in the order.

Petitioner is seeking review of the order dated 16.08.2016. His submission is that pursuant to that order he had approached the Forest / Tree Officer under the provisions of the Delhi Preservation of Trees Act, 1994. This was in terms of the order passed by this Court on 16.08.2016. Admittedly this application had been filed by the petitioner alone and not co-jointly along with respondent no.3 which was the import of the order dated 16.08.2016. This was for the reason

that the tree in question was owned by respondent no.3. It was in this background that the petitioner had been advised to move a joint application along with his sister-in-law namely respondent no.3. The application filed before the Forest / Tree Officer was filed by the petitioner alone. It had been rejected. The submission of the petitioner that he cannot fulfil the criteria laid down in the form which has been appended as he is not the owner of the tree would not have been a hurdle had he filed the application co-jointly along with respondent no.3 but at the cost of repetition he had filed this application alone. The order dated 16.08.2016 had clearly granted him permission to move this application co-jointly. There is no explanation as to why he had not done so. The present petitioner is seeking review of the order dated 16.08.2016 for the reason that he cannot comply with the criteria laid down; this is obviously for the reason that he had moved the application singly.

In this background this petition is not maintainable. The provisions of order 47 of the CPC are in no manner made out.

Petition is without any merit.

Dismissed.

Order be given dasti.

INDERMEET KAUR, J

SEPTEMBER 20, 2016

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