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

+ W.P.(C) 7994/2017

ANUPAM TRIPATHI

..... Petitioner

Through : Petitioner in person with
Mr. Anand Saxena and
Ms. Sneha Verma, Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mr. Sanjay Jain, ASG with
Ms. Jyoti Dutt Sharma,
Mr. Kartik Rai and
Mr. Sukrit Gupta, Advs. for
R-1 to 3
Mr. Sumeet Pushkarna, SC
for R/DJB with Mr. Sahil
Ghei and Ms. Aarushi
Gupta, Advs. and Mr. Ajay
Gupta (SE)

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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13.09.2017

1. This writ petition makes a grievance that despite repeated orders and commitments to the Supreme Court of India regarding removal of 48 polluted industries; construction of sewage treatment plants and cleaning up of the Najafgarh and the Shahdara drains, the respondents have not moved a single step in such direction. Learned counsel submits that even on date, the respondents are not

in a position to even inform this court as to the expected date of commencement of construction of the sewage treatment plants. There is no information forthcoming even about the land, on which the sewage treatment plants are planned, being acquired and made available to the Delhi Jal Board.

2. Appearing for the respondent nos. 1, 2 and 3, Mr. Sanjay Jain, learned ASG would submit that all these matters are the subject matter of consideration before the National Green Tribunal exercising jurisdiction under the National Green Tribunal Act, 2010.

3. A preliminary objection is taken to the maintainability of this writ petition before this court.

4. We have also examined some of the orders passed by the National Green Tribunal which clearly show that all issues relating to the passage of sewage in Delhi as well as cleaning of the river Yamuna are the subject matter of consideration before the National Green Tribunal. We also find that the Tribunal is extensively monitoring the steps being taken by the authorities with regard thereto.

5. Mr. Sanjay Jain, ld. ASG has also placed copy of an order dated 28th August, 2017 wherein the Ministry of Water Resources, River Development and Ganga Rejuvenation has constituted a principal committee regarding projects relating to the cleaning and rejuvenation of the river Yamuna in view of the *Maily Se Nirmal Yamuna Revitalization Project, 2017*.

6. In view of all of the above, it would be highly inappropriate for this court to entertain this writ petition given the pending consideration of all the matters by the National Green Tribunal.

7. At this stage, Mr. Anupam Tripathi, the petitioner who appears in person prays for leave to withdraw this writ petition with liberty to invoke an appropriate remedy in accordance with law including filing of an impleadment application in the pending proceedings in the National Green Tribunal.

This writ petition is disposed of with liberty as prayed.

Dasti.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

SEPTEMBER 13, 2017/kr