

Item No.3

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(Through Physical Hearing with Hybrid V.C. Option)

Original Application No.463/2022
(I.A. No. 157/2022 & I.A No. 311/2022)

Vipin Nayyar

Applicant

Versus

Union of India & Ors

Respondents

Date of hearing: 01.12.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in person (through VC).

Respondents: Mr. Mukesh Verma, Advocate for State PCB.

ORDER

1. The applicant has filed present application under Section 14 read with Section 18 of the National Green Tribunal Act 2010 with the prayer for issuance of directions to the concerned regulatory authorities/respondents for demolition and removal of Hotel Ganga Forest View and Restaurant Hide Out Cafe respectively constructed illegally in the flood plain zone of river Ganga in Rishikesh and to remedy the environmental damage caused.

2. Vide order dated 05.07.2022, this Tribunal constituted a Joint Committee comprising of representative of the National Mission for Clean Ganga, SEIAA, Uttarakhand, Uttarakhand Environment Protection and Pollution Control Board, Central Ground Water Authority, Managing Director, Uttarakhand Jal Vidyut Nigam Limited and District Magistrate, Dehradun and directed the same to submit factual and action taken report within two months.

3. In compliance thereof, report of the Joint Committee has been filed by Dr. Rajendra Singh, ASO, UKPCB, Dehradun vide email dated 16.11.2022.

4. Let notices of the original application and interim application no. 311/2022 for interim injunction be issued to respondents no. 1 to 7 requiring them to file their reply/response to the averments made in the application and observations made in the report of the Joint Committee alongwith all relevant documents in support thereof within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. Interim application no. 157/2022 was filed for seeking constitution of a Joint Committee for Joint Inspection. Vide order dated 05.07.2022 the Joint Committee was appointed and interim application no. 157/2022 has become infructuous/stands disposed of in terms thereof.

6. List for further consideration on 07.02.2023.

Arun Kumar Tyagi, JM

Dr.Afroz Ahmad, EM

December 01st, 2022
AG