

Item No. 19

Court No. 2

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

Original Application No. 386/2023

Kaushal Kumar Tripathi

Applicant

Versus

State of U.P.

Respondent

Date of hearing: 30.05.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

**Application is registered based on a complaint received by post/e-mail**

**ORDER**

1. Taking cognizance of letter petition dated 03.04.2023 sent by Kaushal Kumar Tripathi, Adhyaksh Apna Dal, Sahjanwa, District Gorakpur, this Original Application under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been registered.

2. The complaint is that in Ward No. 5, Shahbajganj Tiwari Tola, Nagar Panchayat Sahjanwa, District Gorakpur, there was an old pond in an area of about 22 dismal as per Revenue record but most of its area has been encroached and only 3 dismal area is now remaining. Due to encroachment of the pond, there is scarcity of drinking water since the pond water was being used for drinking purposes and this is causing huge inconvenience to the local residents.

3. We find that the complaint has been made by a senior office bearer of a political party who is part of ruling party in the State. They have all resources available with them and if have any grievance which may give rise to any substantial question relating to environment, proper application as per Rules should have been filed.

4. We, therefore, decline to take cognizance of this matter and with liberty to the applicant to file appropriate application in accordance with Rules, this Original Application is rejected.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 30, 2023  
Original Application No. 386/2023  
SN