

Item No. 05

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 422/2023

Abhishek Shukla

...Applicant

Versus

Safdar Ali & Ors.

...Respondents

Date of hearing: 26.04.2024

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

Applicant: None for the applicant.

Respondents: Mr. S.G. Hasnain Senior Advocate with Ms. Deeksha L. Kakkar and Mr. Rashneet Singh, Advocates for respondent no. 1-Project Proponent-Safdar Ali.
Mr. Gi. Gi. C. George and Ms. Barkha Singh, Advocates for Respondents No.2, 3, 5 and 7.
Mr. Mukesh Verma, Advocate for Respondent No. 4.
Mr. Pradeep Mishra, Advocate for Respondent No.6.

Application is registered based on a letter petition received by Post

ORDER

1. Abhishek Shukla sent the present letter petition which was treated and registered as O.A. No. 422/2023 complaining about illegal mining, blasting and crushing in violation of environmental norms in villages Jarar, Chhaneha Purwa, Raghwapurwa, Girwan, Patraha, Tehsil Nareni, District Banda, Uttar Pradesh.

2. Vide order dated 08.02.2024 cases against each of the Project

Proponents were ordered to be separated and to be separately registered as original applications so that separate proceedings are conducted for considering the question of environmental violations, verifying compliance and taking remedial measures against each of the Project Proponents separately.

3. Accordingly, the cases have been separated and O.A. No. 422/2023 has been registered as O.A. against Project Proponent-Safdar Ali.

4. In order to avoid duplicacy of names in the cause titles of the cases so separated, it is directed that in cases so separated name of the Project Proponent be kept at serial no.1 while preparing the memo of parties and names of other respondents be mentioned at serial no. 2 onwards. The Registry is directed to prepare and attach memo of parties accordingly.

5. In compliance of order dated 18.03.2024 reply has been filed by the respondent no. 1-Project Proponent vide email dated 25.04.2024 at 05.23 P.M.

6. Above said reply has been filed in violation of the office order issued that any reply/report be filed before 12 noon on the last working day preceding the date of hearing fixed and in view thereof reply is taken on record subject to payment of costs of Rs. 10,000/- by respondent no. 1-Project Proponent.

7. The costs be deposited at least one week before the date hereby fixed with the National Green Tribunal Bar Association, Principal Bench, New Delhi and proof of such deposit of costs be filed on the date of hearing hereby fixed.

8. The amount of costs so deposited shall be utilized by the National Green Tribunal Bar Association, Principal Bench, New Delhi for providing legal aid to the applicants not represented by any lawyer for effectively presenting their case before this Tribunal and creating facilities for the litigants visiting this

Tribunal for hearing of cases filed by them.

9. List on 20.05.2024 for further consideration.

10. Pleadings may be completed and reply/response by any of the other respondents, who has not filed reply/response earlier and rejoinder by the applicant may be filed, if so desired, before that date.

11. Interim Order dated 08.02.2024 to continue till further orders to the contrary.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

April, 26th, 2024
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