

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

Execution Application No. 37/2023
IN
Original Application No. 16/2014
(M.A. No. 93/2023)

Shri Hazi Ariff Applicant

Versus

State of U.P. & Ors. Respondent(s)

Sunil Vaid & Anr. Applicants in EA 37/2023

Date of hearing: 09.10.2023

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

Applicant: Ms. Mansi Chahal, Adv. for Applicant in E.A 37/2023 (Through VC)

Respondent: Dr. Sandeep Singh, Adv. for the State of Uttar Pradesh (Through VC)
Mr. Arvind Thapliyal & Mr. Siddharth Pandey, Advs. for Tata Steel Limited

ORDER

1. This Execution Application has been filed seeking execution of the order dated 10.02.2023 passed in O.A. No. 16/2014. The OA was on the issue of legality of constructions in the bed and within the buffer zone of Sahibabad Drain No. 1 in Ghaziabad by the private respondents and failure of the Ghaziabad Nagar Nigam to prevent discharge of untreated sewage and waste in the said drain.

2. Learned Counsel appearing for the State of UP has informed that a Civil Appeal has been preferred by the State against the above order before Hon'ble Supreme Court. Learned Counsel appearing for M/s Tata Steel Limited has also disclosed that *Civil Appeal No. 3639/2023, M/s*

Tata Steel Limited vs. Hazi Arif & Ors. has been preferred against the above order in which Hon'ble Supreme Court on 17.05.2023 has issued notice and directed that in the meanwhile, no coercive action will be taken against the said appellant for non-compliance of the order. Similarly, it has been brought to the notice of the Tribunal that *Civil Appeal No. 5020/2023, M/s VRS Food Ltd. (Paras Dairy) vs. Hazi Ariff & Ors.* has been preferred by M/s VRS Food Limited (Paras Dairy) and *Civil Appeal Diary No. 25545/2023, M/s Country In and Suites vs. Hazi Ariff & Ors.* has been preferred by M/s Country In and Suites before the Hon'ble Supreme Court against the above order of the Tribunal in which Hon'ble Supreme Court on 04.09.2023 and 18.08.2023 respectively has passed the similar orders as passed in Civil Appeal No. 3639/2023.

3. Learned Counsel for the applicant seeks time to verify the status of above Civil Appeal and any other civil appeal filed against the above order of the Tribunal.

4. List this matter on 02.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. SenthilVel, EM

October 09, 2023
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