

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

Original Application No. 641/2023
(I.A. No. 273/2024)

Suman Chauhan & Ors.

Applicant(s)

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 01.12.2025

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

Applicant: Mr. Manoj Singh, Applicant No. 2 in person

Respondent: Mr. Ravindra Kumar, Senior Advocate with Mr. Shivam Saksena, Adv.
for R - 6 (Through VC)

Mr. Bhanwar Pal Singh Jadon & Ms. Anjali Sharma, Advrs. for the State of UP (Through VC)

Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)

Mr. Rahul Khurana, Advocate of R - 5

Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. for IFCD, GNCTD

Mr. Ajay Vikram Singh, Adv. for DJB

Mr. Satyender Chahar, Adv. for R - 8

ORDER

1. In this Original Application (OA), applicants have alleged failure of the respondent's authority in taking preventive measures to control entry of flood water of river Yamuna in their properties, therefore, incidental issue of raising construction on flood plain of river Yamuna arose.

2. Respondents have pointed out that action was initiated against the applicants for raising the construction in violation, therefore, applicants have filed the petitions before the High Court. Details of which have been disclosed by the District Magistrate, Gautam Budh Nagar in its response dated 02.09.2025 as under:

“7. That upon intricate perusal of the records, it has been observed by the Deponent that the names of 11 Applicants in the present O.A. correspond with the names of certain Petitioners in 6 Writ Petitions pending before the Hon'ble High Court of Allahabad. Specifically,

- (i) in Writ Petition No. 40383 of 2023, Petitioner Nos. 1, 2 and 3 correspond to Applicant Nos. 13, 33 and 32;
- (ii) in Writ Petition No. 22864 of 2023, Petitioner Nos. 3, 4 and 6 correspond to Applicant Nos. 29, 19 and 34;
- (iii) in Writ Petition No. 43423 of 2023, Petitioner No. 3 corresponds to Applicant No. 33;
- (iv) in Writ Petition No. 18496 of 2023, Petitioner Nos. 2 and 7 correspond to Applicant Nos. 47 and 15;
- (v) in Writ Petition No. 20367 of 2023, Petitioner No. 3, 4, 14 and 15 corresponds to Applicant No. 3, 47, 15, 36;
- (vi) in Writ Petition No. 18584 of 2023, Petitioner No. 2 corresponds to Applicant No. 41;

However, though the fathers' or husbands' names of such Applicants and Petitioners appeared to be the same, their addresses as recorded in the respective Writ Petitions did not match. Consequently, despite such similarity in fathers' or husbands' names, the mismatch of addresses creates ambiguity, and hence no conclusive inference could be drawn to establish that the said Applicants in the O.A. and the Petitioners in the Writ Petitions are one and the same person.

Copy of the memo of parties have been annexed herewith as ANNEXURE A-2.

8. That in all the above Writ Petitions, the Petitioners have objected the Public Notice dt. 08.06.2022 issued by the Chief Executive Officer, NOIDA, District Gautam Budha Nagar, wherein it has been directed to the general public that, under the provisions of the Uttar Pradesh Industrial Area Development Act, 1975, no construction is permissible within the notified area of NOIDA without prior approval of the Authority. It cautions that unauthorized construction alters the nature of land, hampers planned development, and adversely affects public interest. The Authority clarifies that no other department or body has the jurisdiction to grant construction permissions in the notified area, and despite repeated notices, warning boards, demolition drives, and information circulated through its official website, instances of illegal construction continue to rise. Accordingly, the notice strictly prohibits any construction in the notified submerged area, warns that unauthorized structures will be demolished at the cost of the violator (recoverable as land revenue), and states that legal action will also be initiated against encroachers.

A Copy of the notice dt. 08.06.2022 has been annexed herewith as ANNEXURE A-3.”

3. Applicants have filed the supplementary affidavit disclosing the details of the pending writ petitions at the instance of the applicant before the High Court as under:

“4. That the said details were compiled by me personally, after collecting individual case information from each of the petitioners & same is reproduced herein below with annexure numbers of interim relief order:

<i>Petitioner no. and details</i>	<i>Case details of Hon'ble High court</i>	<i>Annexure</i>
33.Rajiv Bali S/O Sh. Shri J.C. Bali, 13. Mohammed Sharique Farooqi S/O Sh. Shamshul Islam Farooqi, 32. Vinayak Sen S/O Sh. Gautam Sen	Wric C No. 40383 of 2023	1
2. Manoj Singh S/O Late Sh. Matwar Singh (Wife Meena Negi), 47.Amitav Deb S/O Sh. Late Sh A K Deb, 39. Parthasarthy P Dev S/O Sh. Late Dr. A.K. Dev, 15. Rachna Bhardwaj W/O Sh. Ambujaksh Bhardwaj, 42. Anil Singh Gahlawat S/O Sh. Late Sh Balbir Singh	Wric C No. 18496/2023	2
41.Ashwani Lall S/O Sh. Late Shri Lall Bahadur,	Wric C No. 18584/2023	3
6. Kewal Krishan Malhotra S/O Sh. Amarnath Malhotra, 9. Sanjay Tomar S/O Sh. Jagbir Singh, 14. Praful Munjial S/O Sh. Late Shri Surinder Munjial, 22. Ajeet Kumar Sinha S/O Sh. Late Sh. V P Sinha, 30. Rajneesh Chaubey S/O Sh. Paras Nath, 7. Hriday Pal Singh S/O Sh. K S Ahuja (wife Amrit Kaur ahuja), 46. Shipra Tripathi W/O Sh. Anindya Lala,	Wric C No. 14752 of 2023 & 17175 of 2022	4

48. Vivek Shankar S/O Sh. Late Shri Sukumar Shankar		
19. Sudhir Kumar Singh S/O Sh. Late Sh. Deomangal Singh, 34. Babita Thakur W/O Sh. Ajit Prasad	Wric C No. 22864 of 2023	5
16. Rajeev Singhal S/O Sh. Ved Prakash Singhal, 35. Rajeev Puri S/O Sh. Late I.S. Puri, 40 Arun Narayan Tandon S/O Sh. Shiv Narayan Tandon, 20. Charanjit Singh S/O Sh. S Harcharan Singh, 23. Rekha Mehta W/O Sh. Harish Mehta (Sons Sumit Mehta & Pravin Mehta), 5. Jila Kaur W/O Sh. Nirmal Singh, 17. Rosy Arora W/O Sh. Anil Arora, 44. Nidhi Goyal daughter of Sh. K K Goyal, 11. Anurag Khera S/O Sh. Shri R.B.Khera, 12. Rajesh Ghei S/O Sh. Late Sh. K.K.Ghei, 50. Rakesh R Pandita S/O Sh. Ravinder Nath Pandita, 37. Meena Dhawan W/O Sh. Maneesh Dhawan (Husband Maneesh Dhawan), 1. Suman Chauhan W/O Sh. B S Chauhan, 24. T. Hamlesh Nandhini daughter of Sh. C. Thiagarajan, 29. Amrit Kaur Ahuja wife of Sh. Harminder Pal Singh Ahuja, 4. Mariam Ali S/O Sh. Col. amjad Ali,	Wric C No. 29042/2025	6
8. Shubham Sahai S/O Sh. Sharad B Sahai, 18. Megha Abhay	WRIT C No. - 34119 of 2025	7

<i>Gupta daughter of Air Cmde Abhay Gupta, 3. Dinesh Kumar Tyagi</i>		
<i>49. Sanjeev Mishra S/O Sh. Mahesh Chandra Mishra 10. Arun Gupta S/O Sh. SR Gupta</i>	<i>WRIT-C No. - 20382 of 2023</i>	<i>8</i>
<i>31. Saibal Banerjee S/O Sh. Late Shri Shailen Banerjee</i>	<i>WRIT-C No. - 17895 of 2022</i>	<i>9</i>
<i>26. Ramesh Jhamnani S/O Sh. K.L. Jhamnani 28. Leena Jhamnani W/O Sh. K.L. Jhamnani</i>	<i>Vacant plot, no construction</i>	
<i>25. Seema Jhamnani W/O Sh. K.L. Jhamnani, 27. Rajesh Jhamnani S/O Sh. K.L. Jhamnani</i>	<i>WRIT-C No. - 17742 of 2022</i>	<i>10</i>

”

4. Learned Senior Counsel appearing for respondent-Noida seeks four weeks' time to verify this fact and details as also the status of the pending writ petitions before the High Court. He has submitted that since the Tribunal is monitoring the issue of demarcation of flood plain of river Yamuna, therefore, proceedings should continue before the Tribunal.

5. Learned Counsel appearing for State of UP also seeks four weeks' time to place on record the status of demarcation of flood plain of river Yamuna in the area concerned where these constructions have been raised in terms of River Ganga (Rejuvenation, Protection And Management) Authorities Order 2016

6. List on 19.02.2026.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 01, 2025
Original Application No. 641/2023
(I.A. No. 273/2024)
JG.