

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPALBENCH**

(By Video Conferencing)

Original Application No.672/2023
(I.A. No. 795/2023 & I.A. No. 796/2023)

Himanshu Mittal & Anr.

...Applicants

Versus

Union of India & Ors.

...Respondent

Date of hearing: 02.11.2023

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

Applicant: Mr. Himanshu Mittal (through VC) Mr. Akash
Vashishtha, Advocate for Applicants.

Respondent: None for the respondent.

**Application under Section 18(1) of the National Green Tribunal Act,
2010 read with Sections 14 and 15 of the National Green Tribunal
Act, 2010.**

ORDER

1. The applicants have filed the present application under Section 18(1) of the National Green Tribunal Act, 2010 read with Sections 14 and 15 of the National Green Tribunal Act, 2010 complaining about encroachments and dumping of solid waste, plastic waste, E-waste and other kinds of toxic wastes in the parks, green belts, playgrounds, open areas and city forest in Ghaziabad and submergence of major portion of Sai Upwan with sewage and drying of more than 2000 trees and vegetation, concretization/cementing while seeking issuance of directions to respondents to demolish/remove all unauthorized constructions of temporary or permanent structures or encroachments in parks, green

belts, playgrounds, open areas and city forest in Ghaziabad and not to carry out any further act of concretization or constructions in the same and to restore parks, green belts, playgrounds, open areas and city forest in Ghaziabad and to restore them to their original form.

2. Rule 14 of the National Green Tribunal (Practices and Procedure) Rules, 2011 bars plural remedies and provides that *“An application or appeal, as the case may be, shall be based upon a single cause of action and may seek one or more relief provided that they are consequential to one another.”*

3. The grievances expressed and the reliefs sought in the application are plural and couched in very general and wide terms without giving requisite details particularly regarding the specific violations and violators and involves misjoinder of causes of action and non-joinder of necessary parties particularly the violators.

4. Learned counsel for the applicant seeks permission to withdraw the application with liberty to file separate applications with single cause of action and specifically mentioning the grievances and the reliefs sought with requisite details and by impleading necessary parties.

5. Dismissed as withdrawn with liberty as aforesaid.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 02, 2023

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