

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

Original Application No. 710/2023
(I.A. Nos. 835/2023, 480/2024,
479/2024, 478/2024 & 36/2025)

Sushil Raghav

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 02.04.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Rahul Choudhary & Ms. Shreepurna Dasgupta, Advs. for Applicant
Respondent Mr. Bhanwar Pal Singh Jadon, Mr. Harsh Vardhan Singh Rajawat, Ms.
Anjali Sharma & Ms. Gargi Chaturvedi, Advs. for the State of UP &
UPPCB.
Mr. Malak Bhatt, Mr. Shreyansh Chopra & Ms. Sukanya Joshi, Advs. for
Nagar Nigam Ghaziabad
Ms. Divya Swamy & Mr. Yagyawalkya Singh, Adv. for R - 7 (GDA).
Mr. Mayank Arora & Mr. Vikram Singh, Advs. in I.A Nos. 478-480/2024
& 36/2025
Mr. Raj Kumar, Adv. for CPCB
Mr. Abhishek Yadav & Mr. Mayank Kr. Singh, Advs. for Impleader

ORDER

1. In this original application, the Tribunal is examining the grievance of the encroachment on the park earmarked at Rajendra Nagar Industrial Colony at G.T. Road Mile 8/7, Sahibabad, Ghaziabad.
2. The reply dated 05.02.2025 filed by Respondent No. 7, Ghaziabad Development Authority, discloses that a committee comprising of high officials had done the comprehensive survey/inspection of the site on 22.08.2024, had considered the history of land, layout map, and a comprehensive report was submitted. The gist of the report has been reproduced in the reply of the Respondent No. 7 as under:

“5. That it most humbly submitted that a committee comprising of high officials did a comprehensive survey/inspection of the site on 22.08.2024 and after considering history of land, layout map, and District Magistrate’s report dated 18.07.2024, a comprehensive report was submitted wherein following was stated:

.... The following facts emerged from the site which below-mentioned: -

- A. The total area of Park is 12040 sq. mt. Out of which, on 2864 sq. mtr. area, more than 172 houses are built, and 993 persons are residing there for the last 40 years.*
- B. The existing 9 industries have 119 workers. The road constructed on park land is in front of these factories, occupying 293 sq. mt. area.*
- C. So out of 12040 sq. mt. park area 3157 sq. mt. is under houses and roads. The remaining 8883 sq. mt. is available as open park.*
- D. Municipal Corporation has developed around 21000 Miyawaki plantation on the remaining encroachment free area. ...”*

3. I.A. No. 478/2024 for impleadment has been filed by one Shri Brij Raj Singh and it has been stated that he will be affected by any order passed in this O.A. I.A. is not opposed by the Counsel for the Applicant. Hence, allowed.

4. Let the cause title of the O.A. be amended. The newly added respondent will have an opportunity to file reply within two weeks and a rejoinder be filed within two weeks thereafter.

5. List on 21.05.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

April 02, 2025
O.A. No. 710/2023
HB..