

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

Original Application No. 710/2023
(IA No. 835/2023)

Sushil Raghav

Applicant

Versus

State of Uttar Pradesh

Respondent(s)

Date of hearing: 24.07.2024

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

Applicant: Mr. Rahul Choudhary & Ms. Sruthi K, Advs. for Applicant

Respondents: Mr. Bhanwar Pal Singh Jadon & Mr. Chetan Jadon, Advs. for the State of UP

Mr. Rajkumar, Mr. Ankit Chaudhary, Mr. Sumit Chaudhary, Mr. Bharat Bhushan, Ms. Anamika Singh & Ms. Vandana Sachdeva, Advs. for CPCB (Through VC)

Mr. Malak Bhatt, Mr. Shreyansh Chopra, Ms. Samridhi, Mr. Harshit Rastogi & Ms. Gauri Vashisht, Advs. for Ghaziabad Nagar Nigam

Mr. Yagyawalkya Singh & Ms. Divya Swamy, Advs. for R - 7 (GDA)

Mr. Daleep Dhyani, Adv. for UPPCB (Through VC)

ORDER

1. In this Original Application the allegation is that there is a park earmarked at Rajendra Nagar Industrial Colony on G.T. Road Mile 8/7, Sahibabad, Ghaziabad but the park area is being misused and mis-utilized by raising illegal construction.

2. In spite of the constitution of the Joint Committee and its report no relevant particular could come on record. Hence the Tribunal vide order dated 18.04.2024 had directed the Chief Secretary, State of U.P to look into the matter and file an affidavit before the Tribunal.

3. The Chief Secretary, State of U.P. has sent a communication dated 23.07.2024 mentioning therein that after the order of the Tribunal the map of the concerned land has been traced out and for committing lapse explanation has been sought by District Magistrate Ghaziabad from the

concerned Secretary and by constituting a Joint Team the exercise of measurement of park on the basis of a map has been completed and the process of physical verification of the park is going on and some time will be taken in preparing the report.

4. In this background the Chief Secretary, State of U.P. has sought further 10 days time to file an affidavit in terms of the order dated 18.04.2024.

5. The prayer for grant of further time made by the Chief Secretary, State of U.P. is allowed.

6. Along with the communication of the Chief Secretary dated 23.07.2024 a report of the Joint Committee constituted by the authority for that purpose has been enclosed which mentions that the area of the park shown in the map is 12040.2 sq.mtrs out of which 864.2 sq.mtrs is being used by the factory owners illegally for road, on 2864 sq.mtrs. some houses have been constructed and the area of the park free from encroachment is 8311.8 sq.mtrs.

7. In view of the facts so disclosed, the appropriate steps are required to be taken for making the park free from encroachment. Hence, in the affidavit the Chief Secretary, State of U.P. will also disclose the steps proposed to free park from encroachment.

8. List on 17.10.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 24, 2024
O.A. No. 710/2023
HB