

Item No. 10

Court No. 1

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

Original Application No. 710/2023
(IA Nos. 36/2025, 300/2025, 428/2025,
478/2024, 479/2024, 480/2024 & 835/2023)

Sushil Raghav

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 29.08.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: Ms. Shreepurna Dasgupta, Adv. for Applicant

Respondents: Mr. Bhanwar Pal Singh Jadon, Ms. Hemlata Singh, Ms. Gargi Chaturvedi
& Ms. Anjali Sharma, Advs. for the State of UP & UPPCB
Mr. Malak Bhatt & Mr. Shreyansh Chopra, Advs. for Ghaziabad Municipal
Corporation
Ms. Akriti Singh, proxy counsel for Mr. Yagyawalkya Singh, Adv. for R - 7
(GDA).
Mr. Anish Gupta, Adv. for R - 12 (Through VC)
Ms. Suman Arora & Mr. Ankur Kumar Tripathi, Advocates for CPCB
Ms. Sthavi Asthana, Adv. for UPSIDA (Through VC)
Mr. Narender Singh Yadav, Mr. Abhishek Yadav & Mr. Mayank Singh,
Advs. for R - 13 to 34 (Through VC)

ORDER

1. In this original application, the Tribunal is considering the issue of removal of the encroachment and preservation of park earmarked at Rajendra Nagar Industrial Colony on G.T. Road Mile 8/7, Sahibabad, Ghaziabad.

2. Learned Counsel appearing for the State of UP referring to the latest affidavit dated 27.08.2025 filed on behalf of Special Secretary, Urban Development Department, State of UP has submitted that eviction notices issued to the encroachers on the park were challenged in Writ (C) No.

22015/2025, *Naresh Kumar & 18 Ors. vs. State of UP & Anr.* and the High Court of Allahabad had initially directed the parties to maintain *status quo* by the order dated 14.07.2025 and the said order of *status quo* has been reaffirmed by the order dated 31.07.2025.

3. Learned Counsel appearing for the State of UP has submitted that in terms of Section 26A(4) of the Uttar Pradesh Urban and Planning Development Act, 1973, alternative land or accommodation is required to be provided to the members of the weaker section who have encroached upon the public land before their removal. He seeks time to obtain instructions, if an encroachment which is on the park affecting the environment can be permitted to be continued and if the expeditious action to complete the requisite process and take appropriate steps for removing the encroachment are required to be taken in accordance with law. Hence, the State of UP is directed to file the further report within six weeks.

4. A letter has also been circulated on behalf of Counsel for the Respondent No. 7, GDA seeking adjournment on personal ground.

5. Learned Counsel appearing for the Respondent No. 12 submits that he has been engaged recently and seeks time to obtain the instructions.

6. List on 27.11.2025.

Prakash Shrivastava, CP

Ishwar Singh, EM

August 29, 2025
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