

Item No. 13

Court No. 1

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

Original Application No. 112/2024
(IA No. 45/2024)

Chaudhary Yashwant Singh

Applicant

Versus

Union of India

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. Abhishek Kumar Chaubey, Adv. for Applicant (Through VC)
Respondents: Ms. Asha Gopalan Nair & Ms. Nivedita Nair, Advs. for R - 1 (Through VC)
Mr. Saurabh Balwani, Adv. for CPCB (Through VC)
Mr. Bhanwar Pal Singh Jadon & Mr. Chetan Jadon, Advs. for the State of UP
Mr. Daleep Dhyani, Adv. for UPPCB (Through VC)
Mr. R.K. Chandna, Ms. Shruti A. Chandna & Mr. Malyaj Sehgal, Advs. for R - 8

ORDER

1. Learned Counsel for the State of U.P. has informed that the Civil Court has been appraised of Section 29 (2) of the NGT Act wherein the Jurisdiction of the Civil Court is bar. He submits thereafter the matter has been adjourned four times and no orders have been passed in this regard.

2. In respect of O.A. 636/2022 counsel for the parties have informed that O.A. relates to a different Toll Plaza concerning to a different piece of land involving different issue. Hence the O.A No. 636/2022 will be taken up separately and will not be tagged with this O.A.

3. Learned Counsel for State also submits that Joint Committee has found the respondent no. 8 to be in possession of 7.79 ha of forest land whereas the dispute which is pending before the Civil Court is only in

respect of 3.79 ha. Therefore, on remaining 4 ha of forest land respondent no. 8 have illegally encroached upon.

4. Learned Counsel for respondent no. 8 seeks two weeks time to file reply.

5. Learned counsel for the applicant submits that the issue in respect of 3.79 ha has already been decided by the Hon'ble High Court. He is permitted to place order of the Hon'ble High Court on record within two weeks.

6. List on 24.09.2024

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 24, 2024
O.A. No. 112/2024
HB