

Item No.02

Court No. 2

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

Original Application No.417/2022

Niranchan Bagchi

Applicant

Versus

State of Uttarakhand & Ors.

Respondents

Date of hearing: 13.02.2025

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

Applicant: None for the applicant.

Respondents: Ms. Ruchira Gupta, DAG, Ms. Anjali Rajput and Ms. Ipshita, Advocates for Respondent No. 1, 2 and 5.
Mr. Kaushal Gautam, Ms. Snehpreet Kaur, Ms. Vanshika Singh and Mr. Mrinal Sharma, Advocates for Respondent No. 3
Mr. Raj Panjwani, Senior Counsel with Dr. Aman Rab and Mr. Devang Mishra Advocates for Respondent No. 4.
Ms. Namami Bansal, Municipal Commissioner Dehradun, Mr. Bhupender Singh Aswal and Mr. Beerpal Singh, Assistant Engineer.
Mr. Vinay Garg and Ms. Neetu Rawat, Advocates for Respondent no. 8.
None for respondents no. 6 and 7.

ORDER

1. In compliance of order dated 16.12.2024 response dated 12.02.2025 has been filed by UKSPCB and progress report dated 12.02.2025 has been filed by the District Magistrate Dehradun.
2. Learned DAG appearing for respondent no. 1, 2 and 5 has submitted that State of Uttarakhand had filed Civil Appeal No. 1440/2025 titled as State of Uttarakhand & Ors vs. Niranchan Bagchi & Ors. against order dated

16.12.2024 being principally aggrieved by paragraph nos. 21 and 23 thereof. The appeal was disposed of by Hon'ble Supreme Court vide order dated 10.02.2025. The relevant part of the order reads as under:-

“6. In view of the stand taken by the State, we permit the State to go back to the Tribunal and move a necessary application before the Tribunal, bringing to its kind attention the second proviso to Clause 6(3) and for seeking appropriate directions thereof. Let the needful be done within two weeks from today.

7. In the event of any adverse orders are made, we grant liberty to the State to come back to this Court against the said order and the impugned order as well.

8. The senior counsel undertakes that the application will be filed within two weeks. The impugned order is kept in abeyance for a period of three weeks.

9. The matter is disposed of in the above terms.”

3. Learned DAG appearing for respondent no. 1, 2 and 5 seeks time to file application which is not opposed and the same be filed in terms of order passed by Hon'ble Supreme Court.

4. In view of the averments made in the application and observations made in the report of the Joint Committee, we consider presence of (i) National Mission for Clean Ganga, (ii) Ganga Mission Authority, (iii) State Ganga Committee and (iv) District Ganga Committee to be essential for just and proper adjudication of the questions involved in the case and they are impleaded as respondents no. 8 to 11. The Registry is directed to amend memo of parties accordingly.

5. Mr. Gi. Gi. George has appeared and accepted notice on behalf of respondent no. 8-NMCG.

6. The Registry is directed to issue notices to newly added respondents no. 9 to 11.

7. Replies/responses by respondents no. 8 to 11 may be filed at least two days before the next date of hearing.

8. List on 17.03.2025 for further consideration.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 13th, 2025
O.A. No.417/2022
M