

Item No.4

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

O.A No. 68/2022

Raman Sharma

Applicant

Versus

State of Haryana & Ors.

Respondents

Date of hearing: 11.01.2023

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

Applicant: None.

Respondents: Mr. Lokesh Singhal, Sr. AAG for respondent no. 1, 3, 4 and 6.

Mr. Rahul Khurana, Advocate for respondent no. 2.

Mr. Noopur Singhal, Advocate for respondent no. 5.

Ms. Radhika Gautam, Advocate for respondent no. 7.

Application is registered based on a complaint received by Email.

ORDER

1. Grievance in the application is regarding running of 10 DG sets in the green belt of Integrated Residential Colony Gurugram, Haryana, dumping of construction waste and raising of constructions by M/S Malibu Estate Pvt. Ltd. in Malibu Town, Sohna Road, Gurgaon(North), Haryana in violation of environmental norms.

2. Vide order dated 02.02.2022, this Tribunal constituted a Joint Committee comprising of the HSPCB, SEIAA, HUDA, DFO and District Magistrate-Gurugram (Haryana) and directed the same to submit factual and action taken report within three months. In compliance thereof interim report as well as compliance report were filed vide emails dated 10.10.2022.

3. Vide order dated 11.10.2022, notices were ordered to be issued to the respondents no. 1 to 7 requiring them to file their reply/response within two months. As per office report notices were duly served on the respondents.

4. Reply on behalf of respondents no. 2 and 3 have been filed vide emails dated 09.01.2023. Reply on behalf of respondents no. 1, 4, 5 and 6 have been filed vide emails dated 10.01.2023.

5. In view of the averments made in the application and observations made in the report of the Joint Committee, we consider it appropriate to have response of M/s Malibu Estate Pvt. Ltd, who stands impleaded as respondent No. 8. The Registry is directed to amend memo of parties to the application. Notices be issued to respondent no. 8 and be served on respondent no. 8 through the District Magistrate, Gurugram. For this purpose notice issued to the respondent no. 8 be sent to the District Magistrate, Gurugram by E-mail for getting service of the same effected on it and sending his report in this regard.

6. Learned counsel for respondents no. 2, 4 and 7 also seek time to file detail reply/response on their behalf. The request is allowed. Reply/response on behalf of respondents no. 2, 4, 7 and 8 be filed **within two months** by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF. Requisite details regarding measurements of area of green belt occupied, regarding removal of construction waste with dates of dumping and removal, quantity dumped and area occupied by dumping and constructions, if any being raised, be mentioned in the replies.

7. List the matter for further consideration on 15.03.2023.
8. A copy of this order be sent to the District Magistrate, Gurugram by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr.Afroz Ahmad, EM

January 11, 2023
AG