

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

Original Application No. 68/2022
(I.A. No. 65/2025, I.A. No. 768/2025, I.A. No. 145/2023)

Raman Sharma Applicant

Versus

State of Haryana & Ors. Respondents

WITH

Appeal No. 05/2024
(I.A. No. 769/2025, I.A. No. 62/2024, I.A. No. 174/2024, I.A. No. 184/2024)

Haryana State Pollution Control Board Appellant

Versus

Malibu Estate Pvt Limited & Ors. Respondents

Date of hearing: 30.01.2026

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

Original Application No. 68/2022

Applicant: Applicant in person (through V.C.).

Respondents: Mr. Rahul Khurana and Ms. Bhavya Singla, Advocates for Respondents no. 1 to 4, 6 and 9.
Ms. Noopur Singhal, Advocate for Respondent no. 5 (through VC).
Ms. Radhika Gautam, Advocate for Respondent no. 7.
Mr. Sanjay Upadhyay, Senior Advocate with Mr. Shubham Upadhyay, Mr. Surya Gupta and Ms. Anukriti Vajpayee, Advocates for Respondent no.8.
None for Respondent no.10.

Appeal No. 5/2024

Appellant: Mr. Rahul Khurana and Ms. Bhavya Singla, Advocates.

Respondents: Mr. Sanjay Upadhyay, Senior Advocate with Mr. Shubham Upadhyay, Mr. Surya Gupta and Ms. Anukriti Vajpayee, Advocates for respondent no.1.
None for respondent no. 2.

ORDER

1. Replies dated 29.01.2026 have been filed by HSPCB to I.A. No. 768/2025 in O.A. No. 68/2022 and to I.A No.769/2025 in Appeal No. 5/2024.
2. The applicant had sent a letter petition dated 03.12.2021 which was registered and treated as Original Application No. 68/2022 raising grievances regarding encroachment on green belt, violation of Construction and Demolition Waste Management Rules, 2016 and carrying out construction without consent to operate and in violation of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, causing air and water pollution.
3. In the course of hearing, question regarding requirement of obtaining prior environmental clearance by respondent no. 8 was raised and on hearing of arguments, order was reserved by this Bench but Appeal No. 5/2024 was filed by HSPCB challenging order dated 21.09.2023 passed by the State Appellate Authority setting aside closure order dated 23.12.2022 passed by HSPCB on the ground of mainly not obtaining of prior environmental clearance by respondent no. 8 besides other grounds.
4. In view of interconnectivity of the environmental issues involved in the case, the Appeal No. 05/2024 was also transferred to this Bench vide order dated 21.11.2025.
5. I.A. No. 768/2025 was filed in O.A. No. 68/2022 and I.A. No. 769/2025 was filed in Appeal No. 05/2024. In view of the very nature of the relief sought, I.A. No. 768/2025 and I.A. No. 769/2025 have also to be decided with the O.A. No. 68/2022 and Appeal No. 05/2024.
6. The parties are given opportunity to address arguments in respect of the same.

7. Brief written note of arguments and judgements relied upon along with copies of the judgments so relied upon may be filed by the parties on or before 25.02.2026.

8. List on 27.02.2026 for final hearing.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 30th, 2026

Original Application No. 68/2022

(I.A. No. 65/2025, I.A. No. 768/2025, I.A. No. 145/2023)

With Appeal No. 05/2024

(I.A. No. 769/2025, I.A. No. 62/2024, I.A. No. 174/2024, I.A. No. 184/2024)

AB