

Item No.01

(Bhopal Bench)

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

(Through Video Conferencing)

Original Application No.37/2023(CZ)
(I.A.No.27/2023)

Mrs. Krishna Singh

Applicant

Versus

Bhopal Municipal Corporation & Ors.

Respondent(s)

Date of hearing: 11.07.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant: Mr. Rakesh Singh, Advocate

ORDER

1. This Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been filed by Mrs. Krishna Singh alleging that there is Nirmal Palace Colony developed by M/s. Equator Construction at Khasra No. 146/1/1admeasuring about 9000 square feet wherein there is a land designated for park as per the plan wherein Bhopal Municipal Corporation is raising construction, destroying the nature of the land as park. It is further contended that conversion of open space meant for park/public park is not permissible in view of law laid down by Supreme Court in *Bangalore Medical Trust vs. B.S. Muddappa and Others*, (1991) 4 SSC 54.

2. In our view, a substantial question relating to environment due to implementation of Schedule enactments under NGT Act, 2010 has arisen but before taking any further action in the matter, we find it appropriate

to obtain a factual report in respect of the allegations made by applicant, for which purpose, we constitute a joint Committee comprising Madhya Pradesh PCB and Collector, Bhopal who shall visit the site, collect relevant information and submit a factual report within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR support PDF and not in the form of Image PDF.

3. Madhya Pradesh PCB will be nodal agency for co-ordination and compliance.
4. Copy of this order be forwarded to State PCB and Collector, Bhopal for compliance of this order.
5. List for further consideration 22.08.2023.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

July 11, 2023
Original Application No. 37/2023(CZ)
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