

Item Nos. 04 & 05

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)
Original Application No. 07/2022(CZ)
(I.A. No. 99/2023)

Dr. Subhash C Pandey	Applicant(s)
Vs.	
State of Madhya Pradesh & Ors.	Respondent(s)

WITH

Original Application No. 12/2022(CZ)
(I.A. No. 47/2022)
(I.A. No. 100/2023)
(I.A. No. 101/2023)
(I.A. No. 102/2023)
(I.A. No. 103/2023)
(I.A. No. 06/2024)

Dr. Subhash C Pandey	Applicant(s)
Vs.	
State of Madhya Pradesh & Ors.	Respondent(s)

Date of Hearing: 08.07.2024

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

For Applicant(s):	Dr. Subhash C Pandey (Applicant in Person)
For Respondent(s):	Mr. Pulkit Godha, Adv. Mr. Prashant M. Harne, Adv. Mr. Gaurav Sisodia, Adv. Ms. Harshita Tejawani, Adv. Mr. Om Shankar Shrivastava, Adv. Ms. Meenakshi Patidar, Adv.

ORDER

1. Shri Subhash C. Pandey present in person has submitted that the order have not been complied in letter and spirit and most of the encroachments have not been removed till date.

2. In compliance thereof, learned counsel for the BMC has submitted that vide compliance report filed before this Tribunal in February, 2024 some encroachments have been removed.
3. Learned counsel for the State Mr. Prashant M. Harne has submitted that action taken report has been filed in the month of March, 2024 in which it has been submitted that 33 encroachments in the 33 meter of buffer zone of Kerwa, 18 in government land, 15 illegal construction in the private land were previously registered under section 248 of LRC for Govt. land and notices were issued by Gram Panchayat to private land violators.
4. It is further submitted that the requirement of the law, issue a notice and providing opportunity of hearing is being complied by the State. It is further submitted that in some of the matter the aggrieved approached to the Hon'ble High Court and interim order has been passed.
5. Learned counsel for the State has submitted that the process of removal is being done after notice to the opposite parties and action taken report may be filed within six weeks.
6. Learned counsel for the State has submitted that in light of the order dated 15.02.2024, para 4 the High Level Committee is considering the action being taken against the encroachments after giving an opportunity of hearing to the persons affected.
7. Learned counsel Mr. Yadvendra Yadav has submitted that the land which is shown in the name of respondent no. 15 to 15 (E) has been sold to other persons. On this point a report was called from the State PCB and in compliance thereof State PCB has submitted that land is still recorded in the name of respondent no. 15 to 15 (E) and further submitted that

they are the proper party. Further action taken report be filed within two weeks.

List it on **21st August, 2024.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

08th July, 2024
O.A No. 07/2022(CZ) with
O.A No. 12/2022(CZ)
PN