

Item No. 3

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No. 138/2023(CZ)

Dilip Dev

Applicant(s)

Vs.

State of M.P. & Ors.

Respondent(s)

Date of Hearing: **12.10.2023**

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

For Applicant(s):

Applicant In person

For Respondent(s):

ORDER

1. This letter petition has been filed by one Dilip Dev, R/o 9/5 Manorama Ganj, Near St. Paul Primary School Indore with the allegation that the respondent has illegally constructed a commercial Hostel at 9/3, Manorama Ganj Indore against the approved land use by Indore Municipal Corporation in which construction is almost double the permissible area covering 100% MOS. The said locality is a completely residential area and all residents have strict objections with the commercial uses of the house since it hampers the peace of the locality by noise pollution and frequent movement of the outsiders creating nuisance and unwanted traffic jams and parking. It is further alleged that Writ Petition was moved before Hon'ble the High Court and directions was issued to the Indore Municipal Corporation to take appropriate action against the illegal constructions but Municipal Corporation has not taken any steps against the illegal construction and commercial use of residential places.
2. A substantial issue of environment has been raised.

3. Following persons should be impleaded as party respondent :
- i. State of Madhya Pradesh through Collector, Indore (M.P.)
 - ii. Municipal Corporation, Indore (M.P.)
 - iii. Shri Sanjeev Kumar Jain,
 - iv. Ms. Sapna Jain,
 - v. Ms. Monali Jain, R/o 9/3 Manorama Ganj, Indore
 - vi. Madhya Pradesh State Pollution Control Board. (M.P.)
4. The office is directed to issue notice to the respondents returnable within four weeks.
5. Respondents are directed to submit their reply within six weeks through e-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
6. We further constitute a committee consisting of :
- i. One representative from Collector, Indore (M.P.)
 - ii. One representative from Country and Town Planning, (M.P.)
 - iii. One representative from Madhya Pradesh State Pollution Control Board(M.P.)
7. The Committee is directed to visit the place and submit the factual and action taken report within four weeks. The State PCB will be the nodal agency for coordination and logistic support.
8. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on **18th December, 2023.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

11th October, 2023
O.A. No. 138/2023 (CZ)
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