

Item No. 04

Court No. 2

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

Original Application No.04/2025

Sushil Raghav

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 10.01.2025

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Choudhary & Ms. Shreepurna Dasgupta, Advs.

ORDER

1. This Original Application under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been filed complaining that the land of Khasra Numbers mentioned in Annexure A-3 in Industrial Area Site IV, Sahibabad, in village Maharajpur, Karkarmodel and Jhandapur, was earmarked as park but in an illegal manner Nagar Nigam, Ghaziabad is changing status by raising illegal and unauthorized constructions thereon.

2. Our attention has been drawn to a letter dated 11.01.2023 Annexure A-5 at page 54 sent by Deputy General Manager (Civil) to the Uttar Pradesh State Industrial Development Authority which states that in an illegal manner Nagar Nigam Ghaziabad is changing land use of the park by raising unauthorized and illegal construction.

3. In our view, a substantial question relating to the environment due to implementation of Enactments mentioned in Schedule I of the NGT Act, 2010 has arisen.

4. Issue notice to the Respondents. They may file reply/response to the Original Application within three weeks after receipt of the Notice.

5. Further in order to have current status and factual position of the park, we constitute a joint Committee comprising District Magistrate, Ghaziabad and Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UP PCB').

6. The District Magistrate, Ghaziabad shall be the nodal authority.
The

7. said Committee shall visit the site, collect relevant information and submit a detailed factual report atleast three days before the next date of hearing.

8. List on 21.02.2025.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

January 10, 2025
Original Application No.04/2025
A