

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

Original Application No. 177/2013

Sushil Raghav Vs State of UP & Ors.

**CORAM: HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present: **Applicant / Appellant** : **Mr. Adesh Kumar, Adv.**
 Respondent Nos. 1 to 3 : **Mr. Raman Yadav, Adv.**
 Respondent No. 4 : **Mr. Avijit Bhushan, Adv.**
 (UPSIDC)
 Respondent No. 6 : **Mr. Devesh Kumar, Adv.**

Date and Remarks	Orders of the Tribunal
Item No. 3 May 5, 2014	<p>Respondents no. 1 to 3 had already filed reply. Respondents no. 4 to 6 who were impleaded later seek time to file reply. Though, respondent no. 5 was served, there is no representation on behalf of respondent no. 5.</p> <p>As nobody is present on behalf of Respondent No. 5 despite service, in exercise of our powers and in terms of the provision of Section 19 (4) (a) of the National Green Tribunal Act, 2010 read with Order XVI Rule 10(3) and Section 151 of Code of Civil Procedure, 1908, we issue bailable warrant against Respondent No. 5 for the presence of the Secretary of the said Respondent, for a sum of Rs. 10,000/- to the satisfaction of the arresting Officer on the next date of hearing, namely, 19.05.2014. The bailable warrant to be executed by the Superintendent of Police, Lucknow, Uttar Pradesh. Bailable warrant returnable on 19th May, 2014.</p> <p>Though, by order dated 28.01.2014, the UP Government was directed to file a list of water bodies and the places where encroachments have been made in the District Ghaziabad, by the next date of hearing which was on 07.05.2014, till date it is not filed.</p>

By order dated 23.01.2014, a *status quo* order was passed in respect of Khasra No. 289 village Karkar Model and 1292 village Makkhanpur. That order is being extended from time to time.

By order dated 28.01.2014, the UP Government was directed to submit the status report by the next date of hearing. Though, time was again sought for and granted on 07.03.2014, it is yet to be submitted.

Leaned Counsel appearing for respondent no. 1 to 3 submitted that because of enormous nature of the work involved, the status report could not be submitted so far. But, we cannot appreciate the failure to file atleast status report in respect of Khasra No. 289 village Karkar Model and 1292 village Makkhanpur for which a *status quo* order was passed earlier. The UP Government shall submit a status report in respect of those water bodies, within ten (10) days from today.

The status report as directed earlier shall be filed on 19.05.2014.

Stand over to 19th May, 2014.

....., JM
(M.S. Nambiar)

....., EM
(Dr. G.K. Pandey)

....., EM
(Prof. (Dr.) P.C. Mishra)

....., EM
(Prof. A.R. Yousuf)

....., EM
(Ranjan Chatterjee)