

Item No. 12

Court No. 1

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

Execution Application No.29/2024
In
Appeal No. 79/2014
(I.A. No 364/2024 & I.A. No. 110/2025)

Debadityo Sinha

Applicant

Versus

MoEF&CC & Ors.

Respondent(s)

Date of hearing: 19.02.2025

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

Applicant: Ms. Parul Gupta, Adv. for Applicant in E.A 29/2024

Respondents: Mr. Ravinder Kumar Gupta, Adv. for MoEF & CC
Mr. Bhupendra Pratap Singh & Mr. Nakul Nirwan, Adv. for UPPCB
Mr. Sumeer Sodhi & Ms. Shruti Gupta, Adv. for R - 1

ORDER

1. Learned Counsel Shri Sumeer Sodhi has entered on behalf of Respondent No. 1 and has sought four weeks' time to file the Reply. The reply affidavit on behalf of the UP PCB has been filed, but it is not a respondent in this matter. Counsel for Respondent No. 3-MoEF&CC seeks four weeks to file the reply in the Execution Application as also in I.A. No. 110/2025.

2. In spite of the service of notice to Respondent No. 2-State of UP is not represented today, The reply, if any, be filed by the State of UP within four weeks.

3. Learned Counsel for the Applicant has vehemently submitted the order be passed on I.A. No. 110/2025 today. This IA has been filed only

on 17.02.2025. Having regard to the nature of the allegation made in the IA, we are of opinion that one opportunity should be given to the Respondent to respond to the IA. The Tribunal by the order dated 21.12.2016 passed in Appeal no. 79 of 2014 has already restrained the concerned Respondent from carrying out any development work at the project site. Hence, at this stage, we are not inclined to pass any *ex-parte* interim without giving an opportunity to the Respondents to obtain instructions and file reply. However, keeping in view the nature of the prayer made in the IA, MoEF&CC is granted two weeks to file the reply instead of four weeks as prayed for.

4. List on 21.03.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

February 19, 2025
Execution Application No.29/2024
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A..