

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

**Execution Application No. 16 of 2016
(M. A. NO. 825 OF 2016 & M. A. NO. 826 OF 2016)
IN
Original Application No. 270 of 2013**

K.C. Bhargava & Anr. Vs. UOI & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present:

Applicant / Appellant

**: Mr. Prafulla K. Behera, Adv.,
:Mr. Pravin H. Parekh, Sr. Adv., Mr. Vishal Prasad, Adv.**

For MoEF

Respondent No. 3 & 5

**:Mr. Vikas Malhotra, Adv.
:Mr. Tarunvir Singh Khehar, Adv., Mr. Dharmender Kumar, S.I., Ms. Guneet Khehar, Adv., Ms. Japnaam Bindra, Adv.**

Respondent No. 2

:Mr. Anil Pnwar, CGSC with Mr. Mani Choudhary, Adv.

Respondent No. 6

:Mr. Snajeev Kumar Kha, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 17 August 24, 2016 PS	<p style="text-align: center;"><u>M.A. 825 of 2016 and M.A. 826 of 2016</u></p> <p>These Applications have been moved in Execution Application No. 16 of 2016 for seeking intervention and stay to demolition undertaken in terms of the order under execution.</p> <p>Perusal of the application seeking impleadment reveals the case of the Applicant therein. It is revealed that the Pracheen Mahamai and Bhairo Mandir Trust, a small temple of approximately 40 to 50 square yards has been there since 50 years situated between the walls of the Central Ridge and Birla Mandir Trust. The Applicant has referred to the Joint Survey carried out by Forest Department and Land and Development office identifying the location of the Pracheen Mahamai and Bhairo Mandir Trust within the 7.5 acres of the land, and further contended that the Temple does not come or fall in the 7.5 acres of land in the Central Ridge and is outside the said area. It is in this context that we</p>

had directed the Applicant in impleadment application/intervener to place before us the facts concerning the location of his structures vis-a vis description of the land that is Khasra No./Khatta No. in form of an Affidavit.

Today we have before us the additional affidavit dated 24.08.2016. Nothing of such kind as directed vide order dated 22.08.2016 has been placed before us.

Be that as it may, we allow the Applicants Trust to intervene and make further submissions on the material aspects as to why there should be stay granted to the demolition undertaken in execution proceedings and the merit of their case.

M.A. No. 825 of 2016 stands disposed of accordingly.

List the case on 26th August, 2016.

.....,JM
(U. D. Salvi)

.....,EM
(Ranjan Chatterjee)