

ITEM NO.57

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No(s) . 44376/2018

(Arising out of impugned final judgment and order dated 19-11-2018 in OA No. 229/2013 passed by the National Green Tribunal)

SHRI GIRIRAJ SEWAK SAMITI

Petitioner(s)

VERSUS

GIRIRAJ PARIKRAMA SANRAKSHAN SANSTHAN &amp; ORS.

Respondent(s)

IA 171786/2018-PERMISSSION FILE APPEAL,171787/2018-EX- PARTE STAY,171789/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT,171791/2018-EXEMPTION FROM FILING O.T.

Date : 03-12-2018 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Amrendra Sharan, Sr. Adv.  
Mr. D.K. Sharma, Adv.  
Mr. Syed Mehdi Imam, AOR  
Ms. Shamama Anis, Adv.  
Mr. Kartikay Sharma, Adv.  
Mr. Navin Gupta, Adv.  
Mr. Tabrez Ahmed, Adv.  
Ms. Varnita Rastogi, Adv.  
Ms. Aprajita Mukherjee, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Mr. Amrendra Sharan, learned senior counsel appearing for the appellant submits that the National Green Tribunal (NGT) vide impugned order had directed demolition of so called unauthorised construction/encroachment, such an order is beyond the jurisdiction

of the NGT.

Issue notice, returnable in four weeks.

Dasti, in addition, is permitted.

In the meantime, there shall be stay of the impugned order.

However, we make it clear that it would be open to the respondent authority to take independent action in this behalf if the construction is otherwise unauthorized.

(ASHWANI THAKUR)  
COURT MASTER (SH)

(RAJINDER KAUR)  
BRANCH OFFICER