

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

I.A. No. **38** of 2026

Original Application No. 155 of 2025, Kolkata

(Under Section 14 read with section 15, 18 (1) & (2) of the NGT, 2010)

In the matter of:

Rajeev Kumar

... Petitioner

-Vs-

State of Jharkhand & Ors.

... Respondents

**INDEX**

Sl.	Particulars	Page No.
1.	Application	2 - 7
2.	Verification and Affidavit	8
3.	Annexure A orders dated September 19, 2025 and November 24, 2025	9-11
4.	Annexure B the order dated January 27, 2026	12-13

*Ramendu Agarwal*

Filed by, the respondent no. 4 through Counsel  
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**BEFORE THE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH, KOLKATA**

I.A. No. of 2026

Original Application No. 155 of 2025, Kolkata

(Under Section 14 read with section 15, 18 (1) &amp; (2) of the NGT, 2010)

IN THE HIGH COURT AT CALCUTTA

CIVIL REVISIONAL JURISDICTION

APPELLATE SIDE

In the matter of:

An application for recall of the order  
dated January 27, 2026.

And

In the matter of:

Rajeev Kumar, House No. 65, Near  
Argora Railway Station, Gauri Shankar  
Nagar, Doranda, Ranchi - 834 002,  
Email Id. - [rajeevkumarad@gmail.com](mailto:rajeevkumarad@gmail.com),  
M. 9431399182

... Petitioner

-Vs-

1. State of Jharkhand, through its  
Chief Secretary, Chief Minister's  
Secretariat, Project Building, H.E.C.  
Campus, Dhurwa, Ranchi - 834 004,  
Jharkhand, [Email - cs-jhr@nic.in](mailto:cs-jhr@nic.in).2. Principal Secretary, Urban  
Development and Housing  
Department, Government of  
Jharkhand, 4<sup>th</sup> Floor Project Building,

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Dhurwa, Ranchi - 834 004,  
 Jharkhand, Email -  
[ud.secy@gmail.com](mailto:ud.secy@gmail.com).

3. Jharkhand State Pollution  
 Control Board, through Member  
 Secretary, TA Building, H.E.C.  
 Campus, Dhurwa, Ranchi - 834 004,  
 Jharkhand, Email Id -  
[chairman@jspcb.nic.in](mailto:chairman@jspcb.nic.in).

4. Ranchi Municipal Corporation,  
 through Municipal Commissioner,  
 Kutchery Road, Email -  
[ceo@ranchimunicipal.com](mailto:ceo@ranchimunicipal.com), Ranchi -  
 834 001.

To

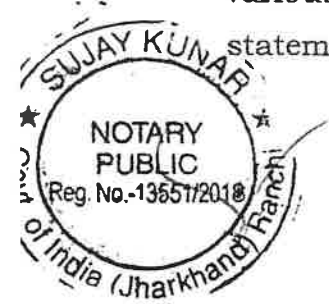
The Hon'ble National Green Tribunal, Eastern Zone Bench. Kolkata.

The humble petition on behalf of the  
 respondent no. 4/applicant  
 abovenamed most respectfully-

SHEWETH:

1. Ranchi Municipal Corporation is a statutory body formed under the Jharkhand Municipal Act, 2011 and is responsible for the civic administration of the city of Ranchi. The total area under the municipal body is 175.12 sq km.

2. The Petitioner had filed the present Original Application making various allegations with regard to alleged pollution of Harmu River. The statements made in the said petition are untrue and incorrect. The



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respondent no. 4 shall crave leave to refer to the said petition at the time of hearing, if necessary.

3. Your petitioner states that the aforesaid Original Application was taken up from time to time, when, directions were passed for filing of affidavits. In this regard, a copy of the orders dated September 19, 2025 and November 24, 2025 are annexed and marked as "A".

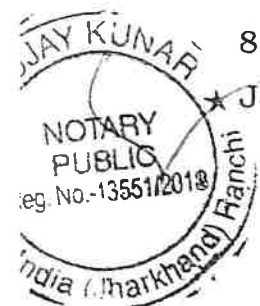
4. At the relevant point of time, the Law Officer for the Respondent No. 4 Mr. Arun Kumar was corresponding with Mr. Ramendu Agarwal, Advocate of the respondent no. 4 and was giving papers and instructions with regard to the further course of action.

5. Mr. Kumar, on behalf of the respondent no. 4 had prepared and forwarded the counter affidavit for being filed to Mr. Agarwal. Thereafter it was informed by Mr. Agarwal, that the same was e-filed in the portal of the National Green Tribunal.

6. In the meantime, the said Mr. Arun Kumar was transferred to Koderma Nagar, Panchayat on December 9, 2025 and his replacement Mr. Mukesh Kumar was assigned Legal Matters on January 5, 2026. Due this transition, the above matter and certain other matters slipped the attention of the department. It was in any event informed by the Law Officer that the Counter Affidavit has been filed.

7. In view of the transition, the contact details of the Mr. Agarwal was also not available with the current law department, as such no instructions could be provided to him.

8. Recently, your Petitioner's representative was informed by on January 27, 2026, the above matter was taken up for hearing, when



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considering the fact that the counter affidavit filed on behalf of the respondent no. 4 was lying defective and the fact that none appeared on behalf of the respondent no. 4, a direction had been passed for personal appearance of the Commissioner of the Respondent no. 4 and the matter was fixed on April 7, 2026 for further hearing. A copy of the order dated January 27, 2026 is annexed hereto and marked as Annexure "B".

9. Upon being made aware of the above order, the Law Officer of the respondent no. 4 arranged for the contact details of Mr. Ramendu Agarwal and contacted him, when it was informed that in view of lack of instructions as well as the fact he was stuck in medical emergency and as such could not attend the hearing on January 27, 2026.

10. Upon enquiring about the counter affidavit being defective, Mr. Agarwal informed the Law Officer that the website of the National Green Tribunal was not working and he was not able to login therein on multiple occasions due to which he was not aware of the defects in the counter affidavit. Immediately, thereafter, Mr. Agarwal on the instructions of the respondent attend this Learned Tribunal, obtained the defects, cured the same and re-filed the counter affidavit. The same is now defect free.

11. Your Petitioners had engaged Advocates to represent itself before this Hon'ble Court. The Petitioners had done whatever it could to protect its right.

12. Your petitioner submits and prays that the non appearance of the petitioner's Advocate may kindly be condoned in view of the facts stated above.



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13. Your petitioner respectfully states and submit that such absence would not recure in future and your petitioner undertakes to be present on each day of hearing without any default.

14. In the premises it is respectfully submitted that the order dated January 27, 2026 be recalled.

15. Unless the aforesaid order dated January 27, 2026 is recalled, the petitioner shall suffer irreparable loss and injury and/or prejudice. Your Petitioner ought not to be penalised or punished for your petitioner's inadvertent non-appearance in the matter.

16. Balance of convenience lies in favour of the petitioner in restoring the instant petition to its original file and having the same heard on merits.

17. There is no delay and/or laches on the part of the applicant in taking out the application and the same has been taken out at the earliest possible opportunity. The petitioner prays for condonation of delay in filing the instant application, if any.

18. Unless orders as prayed for herein are made, the petitioners will suffer irreparable loss and injury.

19. The application is bonafide and made in the interest of justice.

Your petitioners, therefore, humbly pray before Your Lordships that,

a. Delay in filing of the present application, if any, be condoned.



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b. The Order dated January 27, 2026 be recalled on such terms and conditions as this Hon'ble Tribunal deems fit and proper;

c. That such further and/or other orders that this Hon'ble Court may deem fit and proper be passed.

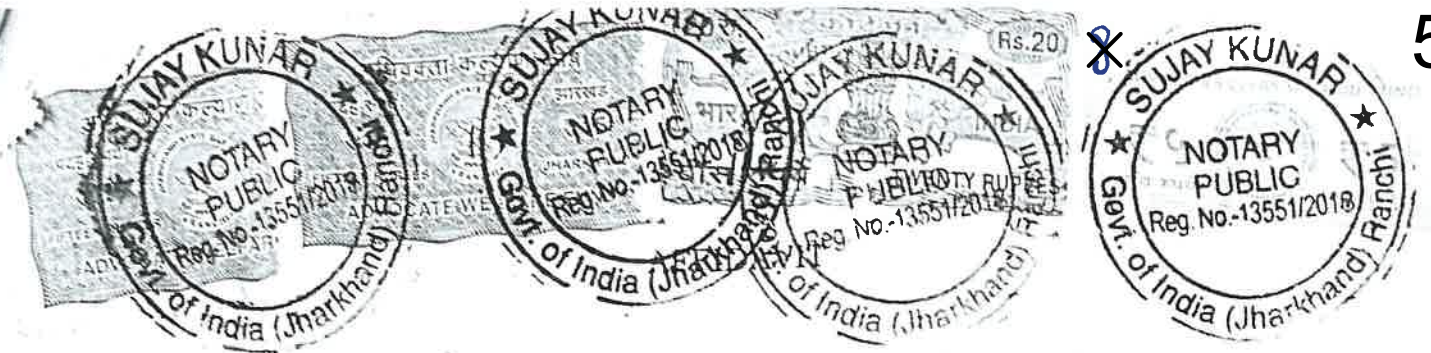
And, for this act of kindness, your petitioners as in duty bound, shall ever pray.

*Suj Prakash*

(SURAJ PRAKASH  
SINGH CHOUDHARY)



*Sujay Kumar*  
01-04-26



I, **Suraj Prakash Singh Choudhury**, son of **Jay Prakash Singh Choudhury**, aged about 42 years, resident of **Dibdih, Ranchi - 834 001, Jharkhad, P.S. & P.O. Argora**, currently working as **Assistant Municipal Commissioner in Ranchi Municipal Corporation, Kutchery. Ranchi 834001, Jharkhand** of the respondent Corporation and as such, I am well acquainted with the facts and circumstances of the instant case, affirm and state as under:

1. That I am the Assistant Commissioner of the Petitioner Corporation in the above-mentioned matter and am well conversant with the facts and circumstances of the case and am competent to swear this, affidavit.

2. That the contents of the Counter Affidavit are true and correct to the best of my knowledge and belief and based on the official records maintained by the Petitioner Corporation. No part of it is false and nothing material has been concealed there from.

3. That the annexures, if any, are true copies of their respective originals.

*Suj Prakash*  
Deponent

VERIFICATION

Verified at Ranchi on this day of 2026, that the content of the above affidavit are true and correct to the best of my knowledge and belief.

*Suj Prakash*  
Deponent

Authorised under Notaries Act and Notaries Rules 1956 by Govt. of India (Jharkhand)  
07 APR 2026  
14 Date  
14 No.

*S Kumar*  
01-04-26  
NOTARY PUBLIC RANCHI  
1 APR 2026



*[Signature]*  
01/04/26  
EX-1216/58  
Signature attested on Identification of Lawyer

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Item No.01

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.155/2025/EZ

Rajeev Kumar

Applicant

Versus

State of Jharkhand &amp; Ors.

Respondents

Date of hearing: 03.09.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicants: Mr. Satyendra Narayan Singh, Advocate for the  
applicant (through V.C.).

**ORDER**

1. The applicant has filed present application under Sections 14, 15 and 18 of the National Green Tribunal Act, 2010 seeking intervention by this Tribunal to prevent pollution and ensuring functioning of Sewage Treatment Plants (STPs) in Harmu River, Ranchi.

2. The applicant has submitted that multiple STPs have been constructed by Ranchi Municipal Corporation through the rejuvenation project at the cost exceeding Rs.101 crores but untreated sewage continues to be discharged through newly formed drains and illegal inlets into the Harmu River. On-ground evidence and the media reports indicate that the constructed STPs are either non-functional, underperforming or completely defunct. Harmu River is subjected to continuous discharge of untreated sewage and dumping of solid waste. Due to encroachments and reduced width of river damage is being caused to environment posing serious health hazards to the residents of the locality. The inaction and negligence of the authorities amounts to



violation of the right to clean environment under Article 21 of the Constitution of India.

3. Prima facie, the averments made in the original application raise substantial environmental questions relating to implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010.

4. Let notice of the application along with copies of the original application and the documents attached with the same be issued to the respondents.

5. Ms. Aishwarya Rajyashree, learned counsel has appeared and accepted notice on behalf of respondents no.1 and 2.

6. Mr. Surendra Kumr, learned counsel has appeared and accepted notice on behalf of respondent no.3-Jharkhand State Pollution Control Board.

7. The Registry is directed to issue notice to respondent no.4-Ranchi Municipal Corporation.

8. Responses by the respondents may be filed within two months.

9. List on 24.11.2025 for further consideration.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 03<sup>rd</sup>, 2025  
Original Application No.155/2025/EZ  
MN



Item No.02

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.155/2025/EZ

Rajeev Kumar

Applicant

Versus

State of Jharkhand & Ors.

Respondents

Date of hearing: 24.11.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: None for the applicant.

Respondents: None for respondents no. 1 and 2.

Mr. Surendra Kumar, Advocate for respondent no. 3.

Mr. Ramendu Agarwal, Advocate for respondent no. 4.

**ORDER**

1. Learned counsel for the applicant and Learned counsel for the respondent no. 1 have made written requests for adjournment which are not opposed and are allowed accordingly.
2. Responses by respondents no.1 to 4 may be filed within six weeks.
3. List on 27.01.2026 for further consideration.

Arun Kumar Tyagi, JM

Ishwar Singh, EM

November 24<sup>th</sup>, 2025

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Item No.10

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.155/2025/EZ

Rajeev Kumar

Applicant

Versus

State of Jharkhand &amp; Ors.

Respondents

Date of hearing: 27.01.2026

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: Mr. Satyendra Narayan Singh, Advocate for the applicant  
(through VC).

Respondents: Ms. Aishwarya Rajyashree, Advocate for respondents no.1 and 2  
(through VC).  
Mr. Surendra Kumar, Advocate for respondent no. 3 (physically  
in EZB).  
None for respondent no. 4-Ranchi Municipal Corporation.

**ORDER**

1. Affidavit filed by respondent no.4-Ranchi Municipal Corporation (RMC) is stated to be lying in defect.
2. None has appeared for respondent no. 4-RMC today.
3. In the facts and circumstances of the case, we consider personal appearance of the Commissioner, RMC physically or through V.C. before this Tribunal to be essential for just and proper adjudication of substantial environmental questions involved in the case.

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4. Accordingly, the Commissioner, RMC is directed to remain present before this Tribunal physically or through V.C. on the next date of hearing with relevant record.
5. Responses by respondents no.1 and 2 and respondent no. 3 may also be filed at least seven days before the next date of hearing fixed.
6. List on 07.04.2026 for further hearing.

Arun Kumar Tyagi, JM

Ishwar Singh, EM

January 27<sup>th</sup>, 2026  
Original Application No.155/2025/EZ  
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Kanishk Kumar &lt;kanishkkumarshiva1@gmail.com&gt;

**RE: O.A. No. 155/2025/EZ - Rajeev Kumar -Vs- State of Jharkhand & Ors.**

1 message

**Ramendu Agarwal** <ramendu@legaloptions.in>

Thu, Apr 2, 2026 at 12:39 AM

To: cs-jhr@nic.in, "ud.secy@gmail.com" &lt;ud.secy@gmail.com&gt;, chairman@jspcb.nic.in, ceo@ranchimunicipal.com

Bcc: kanishkkumarshiva1@gmail.com

Sir/Madam,

We are concerned for the Respondent No.4/Applicant in the I.A. in this matter.

Kindly find attached a true copy of the I.A. filed in the above matter in Original Application No. 155 of 2025 before the National Green Tribunal, Eastern Zone.

Regards,  
Ramendu Agarwal  
Encl: As above

--


**LEGAL OPTIONS  
ADVOCATES & CONSULTANTS**1st Floor, Gate No.2,  
Centre Point,  
[21, Old Court House Street,](#)  
[Kolkata- 700001.](#)

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