

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW
DELHI
ORIGINAL APPLICATION No. 229 of 2013

IN THE MATTER OF:

GIRIRAJ PARIKRAMA SANRAKSHAN
SANSTHAN AND ORS

...APPLICANTS

VERSUS

DEPT. OF ENVIRONMENT AND FORESTS & ORS

...RESPONDENTS

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PLACE: NEW DELHI
DATED: 21.12.2023


RAHUL SHUKLA & ASSOCIATES
Advocate for Applicants
E-13, LGF, Greater Kailash Enclave- 1
NEW DELHI- 110048
9871735724
rahul.legal@gmail.com

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 229 of 2013

IN THE MATTER OF:

Giriraj Parikrama Sanrakshan Sansthan and Ors

...Applicants

Versus

Dept. of Environment and Forests & Ors

...Respondents

AFFIDAVIT ON BEHALF OF APPLICANT IN COMPLIANCE OF
ORDER DATED 07.12.2023

I, Satya Prakash Mangal Secretary "Sewayan" R/o A-2/50, 1st Floor, Safdarjung Enclave, New Delhi-110029 do hereby solemnly affirm and declare as under:

1. That I am the petitioner no.2 in the above noted petition and I am fully conversant with the subject matter of dispute between the parties. I am competent to swear this affidavit.
2. That the instant affidavit is being filed in compliance of directions passed by this Hon'ble Tribunal on 07.12.2023 to disclose the status of various appeals filed before Hon'ble Supreme Court against the various orders passed by this Hon'ble Tribunal in aforesaid petition.

FOR SEWAYAN संस्थान
Satya Prakash Mangal
President / Secretary / Treasurer

3. That the appeals pending before Hon'ble Supreme Court against the various orders passed by this Hon'ble Tribunal in aforesaid petition which are within the knowledge of the deponent are as under:

	Case No. & Title	Order under Challenge	Issue	Status
1.	C.A. No. 2599-2601 of 2019 (Diary No. 3222/2019) "Shri Giriraj Sewak Samiti vs Giriraj Parikarama Sanrakshan Sansthan & Ors."	Final judgment and order dated 04.08.2015, 10.08.2018 & 01.02.2019 in OA No. 229/2013 passed by the National Green Tribunal	Constitution/ creation of Shrine Board for proper management of Giriraj Goverdhan Parvat and Parikarma Marg for upkeep of holy places/ kunds/ cultural heritage etc.	1. Vide Order dated 03.12.2018, Hon'ble Supreme Court granted stay of impugned orders, however, clarified that it would be open to the respondent authority to take independent action in this behalf if the construction is otherwise unauthorized. 2. Vide Order dated 30.03.2022 Ld. Registrar ordered the case to processed for listing before Hon'ble Court.
2.	C.A. Diary No. 44376/2018 "Shri Giriraj Sewak Samiti vs Giriraj Parikarama Sanrakshan Sansthan & Ors."	Final judgment and order dated 19.11.2018 in OA No. 229/2013 passed by the National Green Tribunal	Encroachment on forest land forming part of Khasra No. 68	1. Vide Order dated 03.12.2018, Hon'ble Supreme Court granted stay of impugned orders, however, clarified that it would be open to the respondent authority to take independent action in this behalf if the construction is

For SEWAYA NGT

 President / Secretary / Treasurer

				otherwise unauthorized. 2. Vide Order dated 30.03.2022 Ld. Registrar ordered the case to processed for listing before Hon'ble Court
3.	C.A. No. 12230 of 2018 (Diary No. 45484/2019) "Shri Giriraj Sewak Samiti vs Giriraj Parikarama Sanrakshan Sansthan & Ors."	Final judgment and order dated 04.08.2015, 19.11.2018 in OA No. 229/2013 passed by the National Green Tribunal	Constitution/ creation of Shrine Board for proper management of Giriraj Goverdhan Parvat and Parikarma Marg for upkeep of holy places/ kunds/ cultural heritage etc.	1. Vide Order dated 03.12.2018, Hon'ble Supreme Court granted stay of impugned orders, however, clarified that it would be open to the respondent authority to take independent action in this behalf if the construction is otherwise unauthorized. 2. Vide Order dated 30.03.2022 Ld. Registrar ordered the case to processed for listing before Hon'ble Court.
4.	Civil Appeal No. 4851-4853/2019 "State of Rajasthan vs Giriraj Parikarama Sanrakshan Sansthan & Ors."	Against the Interim order dated 20.06.2018, 01.02.2018 passed in O.A.No. 24/16 & interim order dated 06.03.2019 passed in I.A.No.	Constitution/ creation of Shrine Board for "the ancient temple of Shri Nath ji at poonchari ka Lotha and the entire part of Giriraj Parvat which falls within territory of State of Rajasthan.	1. Vide Order dated 08.05.2019, Hon'ble Supreme Court granted stay of the direction for enactment for constitution of Shrine Board. 2. Vide Order dated 08.05.2019, Hon'ble Supreme Court

FOR SEWA YAN

 President / Secretary / Treasurer

		146/2019 in O.A.No. 24/16		granted stay of orders of demolition. 3. Vide Order dated 30.03.2022 Ld. Registrar ordered the case to processed for listing before Hon'ble Court.
5.	Civil Appeal No. 4446-4447/2019 "State of Rajasthan vs Giriraj Parikarama Sanrakshan Sansthan & Ors."	Against the Interim order dated 17.01.2019 passed in O.A.No. 24/16 & interim order dated 29.03.2019 passed in I.A.No. 73/2019 in O.A.No. 24/16	Removal of extra construction on the side of pillar of Swagat Dwar falling on the Parikarma Marg reducing the total width from 22 feet to 6 feet.	1. Vide Order dated 08.05.2019, Hon'ble Supreme Court granted stay of orders of demolition. 2. Vide Order dated 30.03.2022 Ld. Registrar ordered the case to processed for listing before Hon'ble Court.
6.	Civil Appeal No. 5995/2019 (Diary No. 26588/2019) "Divisional Commissioner, Govt. of U.P. & Ors. vs Giriraj Parikarama Sanrakshan Sansthan & Ors."	Against the Interim order dated 19.07.2019 passed in O.A.No. 229/2013	Constitution/ creation of Shrine Board for proper management of Giriraj Goverdhan Parvat and Parikarma Marg for upkeep of holy places/ kunds/ cultural heritage etc.	1. Vide Order dated 02.08.2019, Hon'ble Supreme Court granted stay of direction to bring an enactment for constitution of Shrine Board. 2. Vide Order dated 30.03.2022 Ld. Registrar ordered the case to processed for listing before Hon'ble Court.
7.	Civil Appeal No. 5800-5804 of 2019	Against the final order dated 04.08.2015 in	Constitution/ creation of Shrine Board for proper management of	1. Vide Order dated 02.08.2019, Hon'ble Supreme Court granted stay of

For SEW AYAN

 President / Secretary / Treasurer

	(Diary No. 10271/2019) "Bharatpur Royal Family Religious Ceremonial Trust vs Giriraj Parikarama Sanrakshan Sansthan & Ors."	OA No. 229/2013 & 10.08.2018, 01.11.2018, 14.12.2018 & 01.02.2019 in OA No. 229/2013	Giriraj Goverdhan Parvat and Parikarma Marg for upkeep of holy places/ kunds/ cultural heritage etc.	direction to bring an enactment for constitution of Shrine Board. 2. Vide Order dated 30.03.2022 Ld. Registrar ordered the case to processed for listing before Hon'ble Court.
8.	Civil Appeal No(s). 5808-5809/2018 (Diary No. 21150/2018) "The Braj Foundation Vs Divisional Commissioner Government Of Uttar Pradesh & Ors."	Against the final order dated 24.05.2018 passed in MA No. 211/2017 & 19.04.2017 passed in OA No. 229/2013	Issue related to kunds. Copy of petition hasn't been supplied to applicants till date.	1. Vide Order dated 01.06.2018, Hon'ble Supreme Court passed order of status quo. 2. Vide order dated 07.08.2023 case got adjourned for 3 weeks.

4. That the relevant orders passed in aforesaid petitions are attached herewith for ready reference as **Annexure-A**.
5. That the deponent seeks liberty to supplement the list of pending cases before Hon'ble Supreme Court against the various orders passed by this Hon'ble Tribunal apart from the cases which have been detailed in para 3 above, as when deponent will gather knowledge of the same.

For SEWA Y A N

 President / Secretary / Treasurer

6. That the submissions as to the facts made in aforesaid paragraphs are true and correct to my knowledge.

For SEW A Y A NESTOR
[Signature]
DEPONENT
Secretary / Treasurer

VERIFICATION:

I, the deponent abovenamed, do hereby verify that the contents of the above affidavit are true and correct to my knowledge and belief, no part thereof is false and nothing has been concealed therefrom.

Verified at New Delhi on this ____ day of December, 2023.

For SEW A Y A NESTOR
[Signature]
DEPONENT
Secretary / Treasurer

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 & 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

Signature Not Verified
Digitally signed by
ASHWANI KUMAR
Date: 2018.12.05
15:14:12 IST
Reason:

Plaintiff 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

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

BEFORE THE REGISTRAR SH. SAURABH PARTAP SINGH LALER

CIVIL APPEAL Diary No(s). 44376/2018

SHRI GIRIRAJ SEWAK SAMITI

Petitioner(s)

VERSUS

GIRIRAJ PARIKRAMA SANRAKSHAN SANSTHAN & ORS.

Respondent(s)

(ONLY C.A. Nos. 2599-2601, 5800-04, 4851-53, 4446-47 and D. No. 3222 of 2019 ARE TO BE LISTED.)

WITH

C.A. No. 4851-4853/2019 (XVII)

(ONLY

FOR DELETING THE NAME OF PETITIONER/RESPONDENT ON IA 128704/2019)

C.A. No. 2599-2601/2019 (XVII)

IA No. 34276/2019 - EX-PARTE STAY

IA No. 34277/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 34278/2019 - EXEMPTION FROM FILING O.T.)

Diary No(s). 3222/2019 (XVII)

(IA No.22388/2019-EX-PARTE STAY and IA No.22385/2019-CONDONATION OF DELAY IN FILING APPEAL

IA No. 22385/2019 - CONDONATION OF DELAY IN FILING APPEAL

IA No. 22388/2019 - EX-PARTE STAY)

C.A. No. 4446-4447/2019 (XVII)

(IA

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 70797/2019

FOR STAY APPLICATION ON IA 70798/2019

IA No. 70797/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 70798/2019 - STAY APPLICATION)

C.A. No. 5800-5804/2019 (XVII)

(IA No.103039/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.103038/2019-EX-PARTE STAY and IA No.103040/2019-

EXEMPTION FROM FILING O.T.)

Date : 30-03-2022 This petition was called on for hearing today.

Signature Not Verified Petitioner(s)

Digitally signed by
PRIYANKA MALIK
Date: 2022.03.31
14:53:54 IST
Reason:

Mr. Milind Kumar, AOR

Ms. Charu Mathur, AOR

Mr. Syed Mehdi Imam, AOR

Mr. Raman Yadav, Adv.

Mr. Satender Kumar Mehdi Imam, Adv.

Mr. Sanchit Vashisthe, Adv.

For Respondent(s)

Mr. Kumar Dushyant Singh, AOR
Mr. Akash Jandiar, Adv.
Mr. Rahul Shukla, Adv.
Mr. Sanjay Kumar Tyagi, AOR
Mr. Gurmeet Singh Makker, AOR
Ms. Seema Patnaha, Adv.
Mr. Pradeep Misra, AOR
Mr. Suraj Singh, Adv.
Mr. Utkarsh Sharma, AOR

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

C.A. Nos. 2599-2601/2019

Despite due service, none appears on behalf of respondent nos. 3 to 13.

Four weeks time, as a last chance, is granted to respondent nos. 1 and 2 to file the counter affidavit.

After the expiry of said period, matter shall be processed for listing before the Hon'ble Court as per rules.

C.A. No. 3222/2019

Despite due service, none appears on behalf of respondent nos. 2, 3, 5 to 13.

Service deemed complete in respect of respondent nos. 1 and 4 as same are appearing as respondent nos. 1 and 4 in connected CA Nos. 2599-2601/2019 and served therein.

Learned counsel for respondent no. 1 in CA No. 2599-2601 prays for and is granted four weeks time file vakalatnama and counter affidavit on behalf of respondent no. 1.

After the expiry of said period, matter shall be processed for listing before the Hon'ble Court as per rules.

C.A. Nos. 4851-4853/2019

Respondent nos. 2 and 3 have been deleted from the array of parties.

Four weeks time, as a last chance, is granted to respondent

no. 1 to file the counter affidavit.

After the expiry of said period, matter shall be processed for listing before the Hon'ble Court as per rules.

C.A. Nos. 4446-4447/2019

Despite due service, none appears on behalf of respondent nos. 2, 3 and 4.

Four weeks time, as a last chance, is granted to respondent no. 1 to file the counter affidavit.

After the expiry of said period, matter shall be processed for listing before the Hon'ble Court as per rules.

C.A. Nos. 5800-5804/2019

Despite due service, none appears on behalf of respondent nos. 2, 3 and 11.

Service of notice of alternative arrangement is complete on respondent no. 13, but no one has entered appearance on his behalf.

Service deemed complete in respect of respondent nos. 1, 4 and 9 as same are appearing as common respondents in connected CA Nos. 2599-2601/2019 and served therein.

Learned counsel for respondent no. 1 in CA No. 2599-2601/2019 prays for and is granted four weeks time to file counter affidavit and vakalatnama on behalf of respondent no. 1.

Four weeks time, as a last chance is granted to respondent nos. 5 to 8, 10 and 12 to file the counter affidavit.

Hence, the matter shall be processed for listing before the Hon'ble Court under the rules.

SAURABH PARTAP SINGH LALER
Registrar

ITEM NO.24, 24.1

IN COURT NO.2

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). 14326/2019

THE STATE OF RAJASTHAN

Petitioner(s)

VERSUS

GIRIRAJ PARIKRAMA SANRAKSHAN SANSTHAN & ORS.

Respondent(s)

(IA No.70811/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.70812/2019-STAY APPLICATION and IA No.70810/2019-CONDONATION OF DELAY IN FILING APPEAL)

WITH

C.A. No. 4446-4447/2019 (XVII)

(IA No.70797/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.70798/2019-STAY APPLICATION)

Date : 08-05-2019 These appeals were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Dr. Manish Singhvi, Sr. Adv.
Mr. Satyendra Kumar, Adv.
Mr. Shailja Nanda Mishra, Adv.
Mr. D.K. Devesh, Adv.
Mr. Milind Kumar, AOR

For Respondent(s)

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

C.A. No.. D.NO. 14326/2019

Delay condoned.

Issue notice returnable after six weeks.

Until further orders there shall be stay of the
direction for bringing an enactment for constitution
of Shrine Board.

C.A. Nos. 4446-4447/2019

List the matters on 10.05.2019.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Indu Kumari Pokhriyal]
Asstt. Registrar

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 No(s). 5995/2019

DIVISIONAL COMMISSIONER & ORS.

Appellant(s)

VERSUS

GIRIRAJ PRAKRIMA SANRAKASHAN SANSTHAN & ORS.

Respondent(s)

(IA No. 113405/2019 - EX-PARTE STAY
IA No. 113406/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 02-08-2019 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE R. SUBHASH REDDYFor Appellant(s) Ms. Pinky Anand, ASG
Mr. Amit Tiwari, Adv.
Ms. Snidha Mehra, Adv.
Mr. Yogesh Pachori, Adv.
Mr. Ajay Kumar Pandey, Adv.
Mr. Sandeep Singh, Adv.
Mr. Sanjay Kumar Tyagi, AORFor Respondent(s) Mr. Rahul Shukla, Adv.
Mr. Sarthak Chaturvedi, Adv.
Mr. Kumar Dushyant Singh, AORUPON hearing the counsel the Court made the following
O R D E R

Issue notice.

Until further orders there shall be a stay of the direction
for bringing an enactment for constitution of Shrine Board.

Tag the matter with C.A.Nos. 4851-4853 of 2019.

Signature Not Verified
Digitally signed by
RACHNA
Date: 2016.08.06
16:34:50 IST
Reason: (POOJA CHOPRA)
COURT MASTER(RAJINDER KAUR)
BRANCH OFFICER

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).21150/2018

THE BRAJ FOUNDATION

Petitioner(s)

VERSUS

DIVISIONAL COMMISSIONER
GOVERNMENT OF UTTAR PRADESH & ORS.

Respondent(s)

(WITH IA No.80676/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.80675/2018-APPLICATION FOR INTERIM RELIEF/STAY and IA No.80677/2018-EXEMPTION FROM FILING O.T. and IA No.80673/2018-PERMISSION TO FILE APPEAL and IA No.80674/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 01-06-2018 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

(VACATION BENCH)

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Braj Kishore Mishra, AOR
Mr. Nikhil Barwankar, Adv.
Mr. Pankaj Sharma, Adv.
Mr. David Thomas, Adv.
Mr. Vikram S. Kushwaha, Adv.
Mr. Roopunsup Singh, Adv.
Ms. Aparna Jha, Adv.

For Respondent(s)

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

Permission to file appeal granted.

Issue notice.

List the matter in the second week of June, 2018.

In the meanwhile, *status quo*, as of today, shall be

maintained.

Signature Not Verified
Digitally signed by
MEENAKSHI KOHLI
Date: 2018.06.01
16:40:16 IST
Reason:

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCivil Appeal No(s). 5808-5809/2018

THE BRAJ FOUNDATION

Appellant(s)

VERSUS

DIVISIONAL COMMISSIONER GOVERNMENT
OF UTTAR PRADESH & ORS.

Respondent(s)

(IA No. 80675/2018 - APPLICATION FOR INTERIM RELIEF/STAY
 IA No. 80676/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT
 IA No. 80677/2018 - EXEMPTION FROM FILING O.T.
 IA No. 80674/2018 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 198271/2019 - PERMISSION TO PLACE ADDITIONAL FACTS AND
 GROUNDS)

Date : 07-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
 HON'BLE MR. JUSTICE S.V.N. BHATTI

For Appellant(s) Mr. Braj Kishore Mishra, AOR
 Mr. Abhishek Yadav, Adv.
 Mr. Ruchit Mohan, Adv.

For Respondent(s) Ms. Garima Prasad, Sr. Adv, A.A.G.
 Mr. Vishwa Pal Singh, AOR
 Mr. Gaurav Srivastava, Adv.
 Mr. Shyam Sundar Sharma, Adv.
 Mr. Nitin Narang, Adv.
 Mr. Ashutosh Bhardwaj, Adv.

Mr. Ravindra Sadanand Chingale, AOR

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

In view of the letter circulated by the learned counsel
 appearing on behalf of the appellant seeking adjournment, re-list
 for three weeks.

Signature Not Verified

Digitally signed by
 SWE (BABITA PANDEY)
 Date: 2023.08.08
 18:20:57 IST
 Reason: []

(BABITA PANDEY)
 COURT MASTER (SH)

(R.S. NARAYANAN)
 ASSISTANT REGISTRAR



rahul shukla <officeofraahulshukla@gmail.com>

Service of Affidavit on behalf of applicants in compliance with Order dated 07.12.2023

1 message

rahul shukla <officeofraahulshukla@gmail.com>

Wed, Dec 20, 2023 at 8:04 PM

To: ankit.scngtup@gmail.com

Sir,

Please acknowledge the service of the attached affidavit in compliance of Order dated 07.12.2023 in O.A. 229/13 titled as 'Giriraj Praikrama Sanrakshan Sansthan and Ors v Dept. of Environment and Forests & Ors.'

 **Giriraj ngt.pdf**
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