

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
CENTRAL ZONAL BENCH, BHOPAL (MP)**

IN THE MATTER OF:  
I.A. NO. **84**/2024 IN OA NO.154/2023

**NAVENDU MISHRA**

**- PETITIONER**

**//VERSUS//**

**MUNICIPAL COUNCIL OF SEONI (M.P.) & ORS. - RESPONDENTS**

**//AND//**

**RAHUL KUMAR JAIN**

**- INTERVENER**

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PLACE:: BHOPAL.

DATE :: 11.08.2024



COUNSEL FOR THE INTERVENER  
ROHIT SHARMA/NAVEEN AHUJA

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**//AND//**

**M/S RAHUL JAIN CONTRACTOR**

THROUGH PROPRIETOR

SHRI RAHUL KUMAR JAIN

S/O DR. KAPOOR CHAND JAIN

GANDHI WARD NO. 10,

LAKHNADON, DISTRICT - SEONI,

MADHYA PRADESH - 480886.

**- INTERVENER**

**INTERVENTION APPLICATION SEEKING IMPLEADMENT IN  
THE INSTANT ORIGINAL APPLICATION.**

It is humbly submitted by the Intervener as under:

1. That, present Original Application No.154/2023 is filed by the Petitioner against the respondents with the grievance that they are flouting the settled environmental principle and violating the norms by carrying out illegal permanent construction in Dal Sagar Lake of Seoni City in District Seoni, Madhya Pradesh.
2. That, the Intervener is a government contractor who is the resident of Lakhnadon, District Seoni, Madhya Pradesh and who was accorded with the work of construction

of a foot over bridge and development of Central Island of Dal Sagar Lake in district Seoni, M.P. by the Nagar Palika Parishad, Seoni.

3. That, Nagar Palika Parishad, Seoni issued a tender for the construction of a foot over bridge and development of Central Island of Dal Sagar Lake in district Seoni, M.P. and the same was awarded to the intervener for a total contract value of Rs.2.23 Crores and an Agreement Dated 10.05.2023 was executed between the Intervener and the Respondent i.e. Municipal Council of Seoni and accordingly the work was started by the intervener in pursuance of the work order.
4. That as on date, a work of approximately 1.90 Crores has been done by the Intervener and after the work in question was stopped by the authorities, it has come to the knowledge of the intervener the Hon'ble Tribunal vide its Order Dated 09.07.2024 has taken cognizance of the matter and directed the respondent authorities to demolish the bridge in question. The relevant abstract of the order dated 09.07.2024 is as follows:-

*“11. In view of the above provisions, we direct as follows:-*

- i. Respondent have to strictly comply Section 4 of the Wetland Rules and to ensure that there will not be any encroachment on wetland, there will not be any construction activities, discharge of untreated water or throwing of the garbage or solid waste or plastic waste in the water body/wetland.*

***ii. Respondents are restrained from going ahead with raising of any permanent construction over the water body of the lake. Constructions or the pillars to the extent which has been raised shall be demolished within one month from today.***

*iii. Since permanent construction at the prohibited site has caused damage to the site and requires a restoration of the site, as also restoration of the ecology and remediation of damage already done to the environment, we constitute a committee consisting Director, CPCB at Bhopal, one representative from the Secretary (Environment) and one representative from the Central Ground Water Authority to assess the environmental compensation.”*

5. That, since the bridge in question has been constructed by the intervener on basis of the tender awarded by the Municipal Council, Seoni in pursuance of the agreement dated 10.05.2023 and the measurement of the construction work done by the intervener has not been done by the department, thus, the Intervener is directly affected by the orders of demolition passed by the Hon'ble Tribunal.
6. That, the work done by the Intervener was in accordance with the contract conditions envisaged under the tender and after the Hon'ble Tribunal directed the Municipal authorities to get the bridge demolished, the Intervener is running from pillar to post to get his quantum of work measured. In case, the bridge is demolished without measurement of the work done

by the Intervener, the Intervener would never be able to claim the amount of work done under a floated tender and hence, this application seeking impleadment/intervention.

7. That the Intervener is a directly affected party and thus a necessary/proper party in the instant matter.
8. That, the present application is supported by way of an affidavit.

**PRAYER**

In view of the above stated facts, submissions and documents, the Hon'ble Tribunal may be pleased to allow the instant application and permit the intervener to intervene/impleaded in the instant matter, in the interest of justice.

PLACE:: BHOPAL.  
DATE :: 11.08.2024



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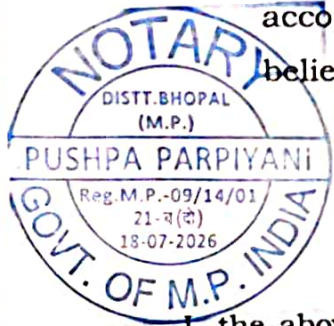
**AND**

**RAHUL KUMAR JAIN** - **INTERVENER**

**AFFIDAVIT**

I, **Rahul Kumar Jain S/o Dr. Kapoor Chand Jain, Aged - 54 years R/o Main Market Bazar Chowk, Lakhnadon, District-Seoni, M.P.-480886** do hereby solemnly affirm on oath as under:

1. That I am the Intervener in the instant Original Application and I am well conversant with the facts and therefore competent to swear this affidavit.
2. That, the accompanying application has been drafted on my instructions and I fully understand the contents of this application.
3. That the contents from the beginning to the end of the accompanying application are true to my knowledge and believed to be true.



*(Signature)*  
**DEPONENT**

**VERIFICATION**

I, the above named Deponent do hereby verify that the contents of the Affidavit above are true and correct and no material fact has been suppressed.

Signed and verified on this Day of 02<sup>nd</sup> August, 2024 at Bhopal (M.P).

**IDENTIFIED BY ME**

NAME *Navendu Mishra*

ADD. *Teela Janapada Bldg.*

SIGN *NAVENDU*

**SWORN BEFORE ME  
THE WITHIN NAMED**

*(Signature)*  
11-08-24

**PUSHPA PARPIYANI  
NOTARY / ADVOCATE  
BHOPAL (M.P.) INDIA**

*(Signature)*  
**DEPONENT**