

**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT PRINCIPAL BENCH NEW DELHI
ORIGINAL APPLICATION NO. 636 OF 2022**

IN THE MATTER OF:

ASHISH CHAUBEY

APPLICANT

VERSUS

ACP TOLL PLAZA PRIVATE LIMITED

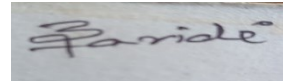
RESPONDENT

**OBJECTION TO THE COMPLETION CERTIFICATE
DATED 08-04-2016 SUBMITTED BY THE RESPONDENT
NO. 1 ON 20-08-2024.**

1. The present OA No. 636 of 2022 was filed on 23-08-2022 by the applicant against the permanent illegal construction of a toll plaza and building in the protected area of Kaimoor Wild Life Sanctuary Area. On 19-12-2022 the Hon'ble Tribunal was pleased to issue notice in the matter.
2. The respondent no. 1 had started the construction of Varanasi – Shaktinagar Road upto Hathi Nala (SH-5A) in the State of Uttar Pradesh, as per the agreement dated 08-12-2011 entered between respondent no.1 and R3-Uttar Pradesh State Highways Authority (for short referred as UPSHA).
3. That as per the agreement dated 08-12-2011, R1 was supposed to submit completion certificate of the above said project in accordance with clause 14.2 of the agreement, which was to be issued by the independent engineer.

4. That the completion certificate submitted by the R1 on 20-08-2024 is not related to the project and also not as per the agreement dated 08-12-2011. The said certificate is issued on the request of M/s APCO Infratech Limited, for the purpose of prequalification/ bidding for Govt. or private sector project, which in no sense related to or relevant in the present matter and was filed with sole purpose to mislead the Hon'ble Tribunal.
5. Therefore, it is humbly submitted that in the instant matter, project completion certificate was never issued by the Independent Engineer as per clause 14.2 of the agreement even till date.

Advocate for the Applicant



Place: New Delhi

Date: 14-10-2024

Kausar Raza Faridi