

Date: 04-02-2023

To
National Green Tribunal
Farisdkot House, Copernicus Marg,
New Delhi 110001

Sub: Application no 463 of 2022 with I.A. no. 311/2022 Vipin Nayyar Vs Union of India & Ors

Respected Sir,

I Rama Arora w/o Late Sh Madan Lal age 68 years old a senior citizen and a widow running this small property for my living and has been a law abiding citizen of this country. This is to inform the Honorable Tribunal that the case is under consideration of my property known as Hotel Ganga Forest View is already pending in the Honorable High Court Uttrakhand at Nanital where in the Honorable High Court has directed all the parties to maintain Status Quo on the said property in question wide order dated: 01/02/2022 (copy attached).

This information has been deliberate by suppressed and not inform to this Honorable tribunal by the applicant Mr Vipin Nayyar who has been after our life and writing unnecessary false complaints against various Government authorizes and departments to harass me as day by day various Government officials visits my property and harass me.

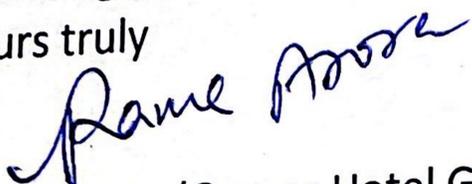
It is also brought to knowledge of this honorable Tribunal that Mr. Vipin Nayyar applicant herein also moved to the Honorable High Court of Uttrakhand at Nanital for vacation of stay granted by the Honorable court on the property in question. The order dated 09-01-2023 of the honorable High Court Uttrakhand is also attached herewith. In this order for the reasons best known to Mr. Vipin Nayyar he choose to suppress before the Honorable High Court the fact that he has also fight a favourless false complaint in this honorable Tribunal also.

The Honorable high court Uttrakhand was pleased to reject his intervation application and continued the interim order of status quo/ Stay dated: 01-02-2022 till the next hearing and has listed the matter on 03-04-2023.

Sir you are most humbly requested to not entertain such favourless and false application by the Mr Vipin Nayyar who has been continuously harassing me. I have no such funds to spend on Lawyers fees day by day and to fight false cases like this.

Thanking you

Yours truly



Rama Arora (Owner Hotel Ganga Forest View)

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>01.02.2022</u>		<p>WPMS No. 229 of 2022 <u>Hon'ble Alok Kumar Verma, J.</u></p> <p>This Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of certiorari quashing the impugned order/ notice dated 20.12.2021, issued by the respondent nos.1 and 2; a writ of mandamus commanding the respondents to restore the <i>status quo</i> ante as existing prior to 22.01.2022 over the property-in-question.</p> <p>Heard Mr. Neeraj Garg, the learned counsel appearing for the petitioners, Mr. Vinay Kumar, the learned counsel appearing for the respondent nos.1 and 2 and Mr. Devesh Ghildiyal, learned Brief Holder appearing for the State/respondent no.3 through video conferencing.</p> <p>The learned counsel appearing for the petitioners submitted that the property was purchased by the petitioner no.2 vide sale deed dated 06.09.2018. After purchasing the property, the petitioner no.2 got her name mutated in records of Municipal Board, Rishikesh. The petitioner no.2 obtained the license for using the said property as Guest House/ Hotel. The petitioner no.1 received the impugned</p>

notice dated 20.12.2021 that the petitioner no.1 has raised unauthorized constructions/ encroachment and directed to remove the unauthorized encroachment. The said notice was given without giving opportunity of hearing to the petitioners. The respondent no.1 has demolished a part of the property-in-question and has further threatened to demolish the remaining portion of the property-in-question.

The learned counsel appearing for the respondents requested three weeks' time to file counter affidavit.

List this case on 02.03.2021.

Meanwhile, in the facts and circumstances of the case, the parties are directed to maintain status quo on the property-in-question as on today.

(Alok Kumar Verma, J.)
Vacation Judge
01.02.2022

Pant/

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p><u>WPMS No. 229 of 2022</u> <u>Shri Sanjaya Kumar Mishra, J.</u></p> <p>Shri Neeraj Garg, learned counsel for the petitioner.</p> <p>Shri Suyash Pant, learned Standing Counsel for the State.</p> <p>Shri Vinay Kumar, learned counsel for the UJVNL.</p> <p>Shri Vipin Nayyar, intervener, present in person.</p> <p>This is an application for intervention moved by Shri Vipin Nayyar. He wants to be impleaded as respondent party in the writ petition on the ground that he was the complainant, on whose complaint the Authorities took up the inquiry and passed the impugned order.</p> <p>Hon'ble Supreme Court in the case of Moreshar Yadoarao Mahajan Vs. Vyankatesh Sitaram Bhedi (D) through LRs and others, 2022 SCC Online SC 1307 has held that twin test to be satisfied for being a necessary party. First, there must be a right to some relief against such party in respect of the controversies involved in the proceedings and second, no effective decree could have been passed in the absence of such a party.</p> <p>In this case, petitioner is neither seeking any relief against present intervener nor in his absence, any effective decree could not have been passed.</p> <p>Intervener submits that Authorities are hand in glove with the present petitioner and interim order has been obtained from the Coordinate Bench by suppressing the material facts.</p>

This Court is of the view that once the intervener pointed certain irregularities that petitioner may be indulged in, the authorities shall take appropriate steps. However, such allegation will not make the intervener entitled to be added as a necessary party. In such cases, the complainant is not a necessary and proper party. This Court finds no merit in the intervention application. Therefore, intervention application no. 3 of 2023 is rejected.

We hope and trust the respondents authorities will not leave any stone unturned to resist the application filed by the petitioner.

List on 03.04.2023.

In the meantime, respondents may file counter affidavit.

Interim order dated 01.02.2022 to continue till the next date of listing.

(Sanjaya Kumar Mishra, J.)

09.01.2023

(Grant urgent certified copy of this order, as per Rules)

SKS