

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

E.A. No. 24 OF 2024

IN

O.A. No. 604 of 2023

IN THE MATTER OF:

HUSSAIN AHMAD

...APPLICANTS

Versus

STATE OF UP & ORS

...RESPONDENTS

INDEX

SR. NO.	PARTICULARS	PAGE NO.
1.	STATUS REPORT ON BEHALF OF DISTRICT MAGSITRATE, MUZAFFARNAGAR, UTTAR PRADESH.	
2.	<u>ANNEXURE 1</u> True copy of the order dated 04.08.2025 in Civil Appeal no. 8377 of 2024 and Civil Appeal No. 8818 of 2024 passed by the Hon'ble Supreme Court of India.	

FILED BY:



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DATE: 08.10.2025

PLACE: NOIDA

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

E.A. No. 24 OF 2024

IN

O.A. No. 604 of 2023



IN THE MATTER OF:

HUSSAIN AHMAD

...APPLICANTS

Versus

STATE OF UP & ORS

...RESPONDENTS

STATUS REPORT OF BEHALF OF DISTRICT MAGSITRATE,
MUZAFFARNAGAR, UTTAR PRADESH

I, UMESH MISHRA, aged about 53 years, S/o Shri M.P. Mishra, presently posted as District Magistrate, Muzaffarnagar, do hereby most solemnly state and affirm as under;

1. That I, the deponent in the above captioned matter am fully conversant with the facts of the case and is competent and authorized to swear the present response.
2. That I state the contents of the response have been drafted by my counsel on my instructions and the contents of the same are true to my knowledge and nothing material has been concealed therefrom.

I. BACKGROUND OF THE MATTER

3. That the present OA has been filed by the applicants, who are residents of Muzaffarnagar, Uttar Pradesh.
4. The applicants contends that due to illegal digging of the pit in the course of illegal mining by Respondent No. 5 & 6 resulting the death of five

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR
8 OCT 2025

8/10

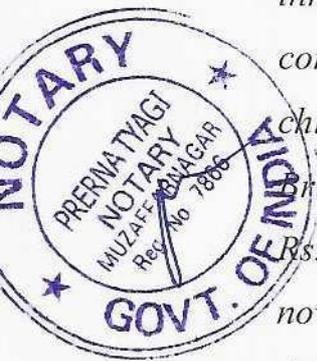
children. The Children had accidently felled into the pits created by illegal mining of sand/clay from nearby agricultural fields by respondents no. 5 & 6 by digging upto 15-20 feet deep and abandoning them, which were filled up with water during the rainy season and were left unattended. Since these pits were filled with water and mud, they were not visible and children has accidently fallen into pits and has died.

II. SUBMISSION OF THE DM, MUZAFFARNAGAR

5. It is submitted that on dated 18.04.2024 the Hon'ble NGT passed a judgement. The operative part of the judgement is as follow:

"19. Having regard to the criteria which has been laid down by the orders of Tribunal and considering the fact that in the present case also death of the five children has taken place on account of the drowning in the pits dug-up by the respondents no. 5 & 6 while illegally extracting soil beyond the permissible limit, the said respondents no. 5 & 6 are liable to pay compensation to the extent of Rs. 20 lakhs to the family members of each deceased children and Rs. 2 lakhs to the injured. In the incident involving the respondent no. 5 M/s Maa Bhagwati Brick Kiln, three children had died, therefore, respondent no. 5 is liable to pay compensation of Rs. 20 Lakhs to the family members of each deceased children. In the incident involving the respondent no. 6, M/s Shree Ram brick Kiln, two children had died. M/s. Shree Ram brick kiln has provided Rs. 1 lakh compensation to the family of two deceased children, therefore, now it is liable to pay Rs. 19 Lakhs to each family members of each deceased children.

"20. We are direct that in terms of the above judgement, the amount will be disbursed at the first instance by the state government then it will be



PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

8 OCT 2025

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open to the State Government to recover the same from the respondent no. 5 & 6, respectively.

"21. Let the above payments be made by the concerned District Magistrate to the family members of the victims within a period of two months from today and action taken report be submitted before the Registrar General of the Tribunal within three months. "

6. It is submitted that the applicant filed an Execution application No. 24 of 2024 in OA no. 604 of 2023 and on dated 23.07.2024 Hon'ble NGT issued notices to the respondents for not complying with the Hon'ble Tribunal order dated 18.04.2024.

7. It is submitted that the Respondent No. 5 & 6 approached the Hon'ble Supreme court in Civil Appeal No. 8377 of 2024 and Civil Appeal No. 8818 of 2024 challenging the order dated 18.04.2024 passed by this Hon'ble Tribunal. It is submitted that the Hon'ble Supreme Court on dated 09.08.2024 issued notices. The operative part of the order is as follow:

"Issue notice returnable on 1st October, 2024.

Mr. Rahul Khurana, AOR accepts notice on behalf of the respondent.

There shall be stay of directions contained in the impugned order subject to the appellants depositing with this court 50% of the amount payable as per the impugned judgement within a period of one month from today. "

8. It is submitted that on dated 04.08.2025 Hon'ble Supreme Court of India disposed of both the Civil Appeal no. 8377 of 2024 and Civil Appeal No. 8818 of 2024. The operative part of the order is as follow:

Pursuant to the above order(s) the District Magistrate, Muzaffarnagar has filed an affidavit indicating that the settlement, as indicated by the appellant, was arrived at amicably without any coercion or undue influence. The affidavit further states that insofar as the victims

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

8 OCT 2025

8



in Civil Appeal No.8818/2024 are concerned, they have already been paid Rs.10,00,000/- (Rupees Ten Lakhs) each and as far as the victims in Civil Appeal No.8377/2024 are concerned, the settlement was at Rs. 10,50,000/- (Rupees Ten Lakhs Fifty Thousand) each out of which one lakh each has been paid to the victim and the balance of Rs.19,00,000/- (Rupees Nineteen Lakhs) is deposited with the Registry. It is also stated that the settlement was arrived at without any coercion or undue influence.

"7. In view of the above, both these appeals are disposed of in terms of the settlement. The Order(s) of the National Green Tribunal impugned in these appeal(s) stand modified to the extent of the compensation amount indicated above. The amount of Rs.19,00,000/- (Rupees Nineteen Lakhs) which is deposited with the Registry of this Court shall be disbursed to the respective parents of the victims by transfer to their bank account(s) after proper verification of their identity, at the rate of Rs.9,50,000/- (Rupees Nine Lakhs Fifty Thousand) per child. Interest earned on the aforesaid deposit shall also be proportionately paid."

True copy of the order dated 04.08.2025 in Civil Appeal no. 8377 of 2024 and Civil Appeal No. 8818 of 2024 passed by the Hon'ble Supreme Court of India is annexed herein as **ANNEXURE 1**.

Hence, the Present affidavit is filed for the kind consideration and perusal of this Hon'ble Tribunal.

I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.



PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

6.10.25
DEPONENT

8 OCT 2025

VERIFICATION:

Verified at Muzaffarnagar on this 6th day of October, 2025 that the contents of the above affidavit from paragraphs 1 to 8 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

[Handwritten Signature]
DEPONENT



Umesh. Mishra
I, the deponent
have satisfied myself by examining the contents of the affidavit which has been read out and explained by me to the deponent. Fee charged Rs.
NOTARY DISTT MUZAFFARNAGAR

Identified by
[Signature]
AKRANT RATH
Advocate
MUZAFFARNAGAR

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

PRERNA TYAGI
NOTARY
MUZAFFARNAGAR

8 OCT 2025

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8377 of 2024

SHRI RAM BRICK FIELD

APPELLANT

VERSUS

HUSSAIN AHAMAD & ORS.

RESPONDENTS

WITH
Civil Appeal No.8818/2024

O R D E R

1. These two appeals arise from Orders passed by the National Green Tribunal awarding compensation in lieu of death of children on account of accident caused by falling into the pits dug by the appellants (i.e. Brick Kiln Operators).

2. In Civil Appeal No.8377/2024, in the accident two children had died. Compensation awarded was Rs.20,00,000/- (Rupees Twenty Lakhs) to the family of each of the victim. It appears, after the order was passed by the Tribunal, recovery proceedings were initiated. It is the case of the appellant that parties have amicably settled the compensation at Rs. 10,50,000/- (Rupees Ten Lakhs Fifty Thousand) per child instead of RS.20,00,000/- (Twenty Lakhs) as awarded by the Tribunal.

Signature valid

Digitally signed by
KAVIN P. S. S.
Date: 2024.09.11
17:53:15 +05'30'
Reason

3. In Civil Appeal No.8818/2024, the case of the appellant(s) is that three children had died in the accident and the Tribunal awarded Rs.20,00,000/- (Rupees Twenty Lakhs) to family of each of the victim. Subsequently, according to the appellant, a settlement was arrived at, under which, the appellant was required to pay Rs.10,00,000/- (Rupees Ten Lakhs) per child and the same has already been paid.

4. On 28.02.2025, this Court directed as follows:

"The learned counsel appearing for the private parties including the appellants contended that there is a settlement between the parties.

Under the impugned judgment, the appellants were directed to pay compensation amount to certain persons in terms of paragraph 19 of the impugned judgment. The learned counsel appearing for the appellants contended that there is a settlement.

We direct the appellants to appear before the District Magistrate, Muzaffarnagar Collectorate and produce the settlement agreement before the learned District Magistrate. The District Magistrate will issue notices to all those who are entitled to compensation as directed in paragraph 19 of the impugned judgment and will ascertain after issuing notice to all the beneficiaries whether the claim of each and every beneficiary has been genuinely settled to their satisfaction. He must ascertain whether the beneficiaries have understood the meaning and effect of the alleged compromise. This exercise shall be done by the District Magistrate as an officer of this Court and he shall be answered to this Court.

A detailed report shall be submitted to this Court by the District Magistrate, Muzaffarnagar along with necessary documents by 24th March, 2025.

To be listed on 28th March, 2025.

The Registry to forward a copy of this order to the District Magistrate, Muzaffarnagar, District Muzaffarnagar, Uttar Pradesh."

5. Thereafter, on 09.05.2025, following order was passed:

"In both the cases, the appellants claim that there is a settlement entered into.

We direct the District Magistrate, Muzaffarnagar, Uttar Pradesh to file an affidavit in the following terms:

- a) who are the beneficiaries of the settlement in each appeal;
- b) how much amount is payable to the beneficiaries; and
- c) how much amount has been actually paid to the beneficiaries.

If some of the beneficiaries are to be paid from the amount deposited in this Court, the report should state that so that appropriate order regarding withdrawal can be passed. Supporting documents shall be annexed to the affidavit. A comprehensive affidavit shall be filed within six weeks.

List on 25th July, 2025."

6. Pursuant to the above order(s) the District Magistrate, Muzaffarnagar has filed an affidavit indicating that the settlement, as indicated by the appellant, was arrived at amicably without any coercion or undue influence. The affidavit further states that insofar as the victims in Civil Appeal No.8818/2024 are concerned, they have already been paid Rs.10,00,000/- (Rupees Ten Lakhs) each and as far as the victims in Civil Appeal No.8377/2024 are concerned, the settlement was at Rs. 10,50,000/- (Rupees Ten Lakhs Fifty Thousand) each out of which one lakh each has been paid to the

victim and the balance of Rs.19,00,000/- (Rupees Nineteen Lakhs) is deposited with the Registry. It is also stated that the settlement was arrived at without any coercion or undue influence.

7. In view of the above, both these appeals are disposed of in terms of the settlement. The Order(s) of the National Green Tribunal impugned in these appeal(s) stand modified to the extent of the compensation amount indicated above. The amount of Rs.19,00,000/- (Rupees Nineteen Lakhs) which is deposited with the Registry of this Court shall be disbursed to the respective parents of the victims by transfer to their bank account(s) after proper verification of their identity, at the rate of Rs.9,50,000/- (Rupees Nine Lakhs Fifty Thousand) per child. Interest earned on the aforesaid deposit shall also be proportionately paid.

8. I.A. No.189866/2024 - The learned counsel for the applicant seeking impleadment submits that the impleadment application need not be pressed as the person sought to be impleaded is already on record.

9. In view of the above, the application seeking impleadment is disposed of. Pending application(s), if any, shall also stand disposed of.

.....J.
[MANOJ MISRA]

.....J.
[UJJAL BHUYAN]

New Delhi;
4th August, 2025

ITEM NO.54

COURT NO.15

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 8377/2024

SHRI RAM BRICK FIELD

Appellant(s)

VERSUS

HUSSAIN AHAMAD & ORS.
Respondent(s)

IA No.169414/2024-STAY APPLICATION and IA No.169416/2024-
PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 215750/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 170230/2025 - EXEMPTION FROM FILING O.T.
IA No. 117294/2025 - EXEMPTION FROM FILING O.T.
IA No. 215859/2024 - INTERVENTION/IMPLEADMENT
IA No. 169416/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 169414/2024 - STAY APPLICATION

WITH

C.A. No. 8818/2024 (XVII)

[TO

FOR STAY APPLICATION ON IA 173137/2024
FOR impleading party ON IA 189866/2024
FOR INTERVENTION/IMPLEADMENT ON IA 189866/2024
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 189868/2024
FOR EXEMPTION FROM FILING O.T. ON IA 189869/2024
FOR CLARIFICATION/DIRECTION ON IA 48662/2025
IA No. 189868/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 48662/2025 - CLARIFICATION/DIRECTION
IA No. 189869/2024 - EXEMPTION FROM FILING O.T.
IA No. 189866/2024 - INTERVENTION/IMPLEADMENT
IA No. 173137/2024 - STAY APPLICATION

Date : 04-08-2025 These matters were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) :

Mr. Sanjay Kumar Dubey, Adv.
Ms. Shuchi Singh, Adv.

Mr. Shuchi Singh, AOR
Mr. Vivek Kumar Pandey, Adv.
Ms. Shivani Mishra, Adv.
Mr. Devendra Kumar Mishra, Adv.
Mr. Sandeep Kumar Saini, Adv.
Mr. Rakesh Kumar Tewari, Adv.
Mr. Ujjwal Kumar Dubey, Adv.
Mr. Sachin Kumar Anand, Adv.

Ms. Astha Tyagi, AOR
Mr. Dinesh Chander Trehan, Adv.
Ms. Karishma Sharma, Adv.

For Respondent(s) :

Mr. Rahul Khurana, AOR
Mr. Hasil Jain, Adv.
Mr. Shaiem Hasan, Adv.
Mrs. Farha Khan, Adv.

Mr. Rana Mukherjee, Sr. Adv.
Mr. Ajay Agarwal, A.A.G.
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Ms. Aditi Mishra, Adv.
Mr. Kamendra Mishra, AOR

Mr. Vivek Gupta, AOR

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

1. Appeals are disposed of in terms of the Signed Order placed on the file.
2. I.A. No.189866/2024 seeking impleadment is disposed of. Pending application(s), if any, shall also stand disposed of.

(RASHI GUPTA)
COURT MASTER (SH)

(SAPNA BANSAL)
COURT MASTER (NSH)