

Item No. 01(Bhopal Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 43/2020 (CZ)

Jaya Thakur

Applicant(s)

Versus

State of M.P. & Ors.

Respondent(s)

Date of hearing: 23.07.2020

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s) : Mr. Varun Thakur and Mr. B.P. Pandey,
Advocates

ORDER

1. By filing the present application, the issue of illegal construction both residential and commercial by way of encroachment have been raised in the District Sagar, Madhya Pradesh and it is alleged that the lake is getting polluted and the water body has a shrunk inside as a result of encroachment.
2. The applicant has further alleged that building namely Vandana Bhawan and Parkota is constructed and running their office after encroaching the land of Sagar Lake. Some of the Hospitals are also constructed and running after encroaching the land of Sagar Lake, it is further alleged that there is a strong collusion between the builders/colonizer with local politicians developing many colony by encroaching the Sagar Lake, near of Bagraj Temple and developing by encroaching the Sagar Lake with the collusion of politicians and administration.
3. A substantial issue of environment has been raised.
4. Issue notice to the respondents. Returnable within four weeks.

5. Service of notices, summons and pleadings etc. have not been possible during the period of lockdown because this involves visits to post offices, courier companies or physical delivery of notices, summons and pleadings. We, therefore, consider it appropriate to direct that such services of all the above may be effected by e-mail, FAX, commonly used instant messaging services, such as WhatsApp, Telegram, Signal etc. However, if a party intends to effect service by means of said instant messaging services, we direct that in addition thereto, the party must also effect service of the same document/documents by e-mail, simultaneously on the same date".
6. The applicant is directed to provide the mobile WhatsApp no. and email address of all the respondents, if possible and applicants and respondents are directed that at the time of filing the application or reply, the party concerned has to provide WhatsApp no. and email I.D. so that the summons and notices may be served immediately for compliance and for further disposal and proceeding of the case.
7. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
8. Respondents are directed to submit their reply within six weeks by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
9. We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of:-
 - (i) District Magistrate, District Sagar
 - (ii) Municipal Commissioner, District Sagar
 - (iii) Madhya Pradesh Pollution Control Board
10. The Committee is directed to visit the place and submit the action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.

11. The report in the matter be filed by the Committee by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
12. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within a week.
13. List it on 02.11.2020

Justice Sheo Kumar Singh, JM

Dr. S.S. Garbyal, EM

July 23, 2020
Original Application No. 43/2020 (CZ)
JG