

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL

Original Application No. 24/2016 (CZ)
Kishore Deepak Kodwani vs. State of M.P. & 5 Ors.
and
CAVEAT No. 01/2016 & M.A. No. 86/2016

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE Dr. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

PRESENT : Applicant : In person
Respondent/High Court of MP : Shri Siddharth R. Gupta, Advocate &
Shri Ravikant Patidar, Advocate

Date and Remarks	Order of the Tribunal
<p>Order No. 1</p> <p>17th February, 2016</p>	<p>This Original Application has been filed by the Applicant challenging the construction sought to be raised on Khasra No. 526/1/1 & 526/1/2 by the Hon'ble High Court Bench at Indore for the construction of the District Court building at Indore. The issue that is sought to be raised is that the aforesaid land bearing Khasra No. 526/1/1 & 526/1/2 both aggregating 11.161 hectares is part of Pipaliya lake at Indore and by carrying out the said land allotment and construction over the same the water body is being encroached upon and reduced.</p> <p>Though, the Applicant has not filed any revenue record to show and support his case. We find that along with the Caveat Application No. 01/2016 filed on behalf of the Registrar General, High Court of MP Bench at Indore and the M.A. No. 86/2016 also filed by the Registrar General, High Court of MP Bench at Indore praying for the dismissal of the petition by way of Annexure-G has been filed which is of the year 1996 where Khasra No. 525 has been recorded as Talab with Kabjedar, Executive Engineer, Irrigation Department, Indore against Khasra No. 526/1/1 &</p>

	<p>526/1/2 of that is mentioned as Nazul with no entry as against Kabjedar. Though in the subsequent column it is mentioned on 22.02.2002 allotment of these two Khasra has been made in favour of Registrar General, High Court of MP bench at Indore.</p> <p>Learned Counsel appearing for the Registrar General, High Court of MP bench at Indore has stated that the Applicant has failed to implead the Hon'ble High Court Bench at Indore. We accept the aforesaid submission and direct the applicant to implead the Hon'ble High Court Bench at Indore party to this Original Application. The Misc. Application No.86/2016 for intervention and Caveat No. 01/2016 filed by the Registrar General, High Court of MP Bench at Indore is allowed.</p> <p>In the meanwhile, we would issue notice to the Respondents and particularly direct the Respondent No. 3/District Collector, Indore to submit the revenue record for Khasra No. 526/1/1 & 526/1/2 since 1959. In case, there has been any settlement operation regarding the change of Khasra No. Milan Kshetra of renumbering shall also be filed.</p> <p>Let the matter be listed on 1st March, 2016.</p> <p>.....JM (DALIP SINGH)</p> <p>.....EM (Dr. S.S.GARBYAL)</p>
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