

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSWrit Petition (Civil) No.13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(IN RE: TAJ TRAPEZIUM ZONE

IA. NO. 53703/2023 (APPLN. FOR PERMISSION ON B/O JAWAHARPUR VIDYUT  
UTPADAN LTD.)

"ONLY" IN W.P. (C) NO. 13381/1984 IS LISTED.

"ONLY" NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN  
SHOWN IN THE LIST.

PETITIONER-IN-PERSON

MR. A.D.N. RAO, SR. ADVOCATE (A.C.)

MR. AMRISH KUMAR,

MR. M.K. MARORIA,

MR. G.S. MAKKER,

MR. VIJAY PANJWANI,

MR. SUDEEP KUMAR,

MR. ADARSH TRIPATHI, ADVOCATES )

Date : 30-04-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE UJJAL BHUYANFor Petitioner(s) Petitioner-in-person  
Applicant-in-person, AOR  
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For Respondent(s) Mr. Ankur Prakash, AOR

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Mr. Akhileshwar Jha, Adv.  
Mr. Sandeep Singh Dhingra, Adv.  
Mr. Ashwini Kumar Singh, Adv.  
Mr. Saurabh Kumar Solanki, Adv.  
Ms. Ritika Raj, Adv.

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

I.A. No.53703/2023:

This is an application made by M/s Jawaharpur Vidyut Utpadan Nigam Limited seeking following relief:

"A. Allow the instant Application and allow the felling of two hundred and nine trees (33 trees in district Hathras And 176 trees in District Agra) for proposed works of construction of 14.5 km long railway track from Barhan Station to Shivala Tehu for transportation of coal and oil.

B. Pass any such other and further Order(s) as this Hon'ble Court may deem fit and proper in the interest of justice."

Learned counsel appearing for applicant states that Railways are going to lay the track. Before filing the present application, with the collaboration and assistance of the Railways, the applicant ought to have to considered whether it is possible to have an alignment of railway track which will involve cutting of lesser number of trees. We direct the applicant to do the exercise with the assistance of Railways and file a fresh application for the same or modified relief. By granting the aforesaid liberty, we dispose of the application.

I.A. No.72048/2024 and 72049/2024:

After hearing the applicant, we find that the applicant is only an executing agency which is acting at the instance of the Government of Uttar Pradesh. The Government of Uttar Pradesh must

satisfy itself that there is no other site available on which tourist facilitation centre could be constructed without cutting any tree or without cutting lesser number of trees. This exercise has to be undertaken by the State of Uttar Pradesh. After conducting the said exercise, the State of Uttar Pradesh will file an affidavit on record along with necessary documents.

List on 10.07.2024.

(VIJAY KUMAR)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)