

HIGH COURT OF JUDICATURE AT ALLAHABAD

**PUBLIC INTEREST LITIGATION (PIL) No. - 4003 of 2006
(With WPIL Nos. 31229 of 2005, 8864 of 2006, 27206 of 2012, 22459 &
35250 of 2017 and 1059 of 2019 Writ - C Nos. 37019 of 2011, 45456 &
46398 of 2012, 69796 of 2015 and 30703 of 2017)**

Re Ganga Pollution

.....Petitioner

Through :- Mr. Arun Kumar Gupta, Senior Advocate/ Amicus
Curiae, Mr. Vijay Chandra Srivastava, Advocate
with Ms. Sunita Sharma, Advocate and Mr. Shailesh
Singh, Advocate

v/s

State of U.P. and others

.....Respondents

Through :- Mr. S.P. Singh, Additional Solicitor General with Mr.
Rajesh Tripathi and Mr. Manoj Kumar Singh,
Advocates for Union of India,
Mr. Ajay Kumar Mishra, Advocate General with Mr.
Rajeshwar Tripathi, Chief Standing Counsel-II and
Mr. Sudhanshu Srivastava, Advocate for Tehri Hydro
Development Corporation,
Mr. Bal Mukund, Advocate for Central Pollution
Control Board,
Mr. H.N. Tripathi, Advocate for State Pollution
Control Board,
Mr Vijay Bahadur Singh, Senior Advocate with Mr.
Prabhash Pandey, Advocate and Mr. Tarun Agarwal
for respondent No. 19
Mr. Sanjay Kumar Om, Advocate for U.P. Jal Nigam
(Rural)
Mr. S.D.Kautilya, Advocate for Nagar Nigam,
Prayagraj

CORAM : HON'BLE RAJESH BINDAL, CHIEF JUSTICE

HON'BLE MANOJ KUMAR GUPTA, JUDGE

HON'BLE AJIT KUMAR, JUDGE

ORDER

C.M. Impleadment Application No.145 of 2023

1. At the time of hearing, it was pointed out that in the order passed by

this Court on December 14, 2022, Pancham Realcon Private Limited was directed to be impleaded as respondent no. 19. The impleadment of Pancham Realcon Private Limited should have been as respondent no. 26. A perusal of memo of parties shows that number of respondents were impleaded from time to time and, in fact, respondent no. 19 is already there as the State Level Environment Impact Assessment Authority, Uttar Pradesh. Hence, it should have been at number 26.

2. Learned counsel for the applicant submitted that the name of Pancham Realcon Private Limited was changed to Omaxe Pancham Realcon Private Limited on July 21, 2021. However, as the application for impleadment was filed prior thereto inadvertently the aforesaid fact could not be pointed out. The prayer made in the present application is for correction in the name of respondent no. 26.

3. The application is allowed. The name of respondent no. 26 already impleaded is directed to be corrected as 'Omaxe Pancham Realcon Private Limited'.

4. The order passed by this Court on December 14, 2022 is directed to be modified accordingly.

5. Registry to carry out necessary correction in the memo of parties.

On main petition

6. In response to the order passed by this Court on January 19, 2023, Abhishek Tiwari, Secretary Environment, Forest and Climate Change Department is present in Court.

7. He has been apprised of the different issues being faced with reference to environment and treatment of affluent and sewerage waste, part of which is being discharged in River Ganga and Yamuna. Some solutions have also been suggested by learned counsel appearing for the petitioner and Mr. Gupta, learned Senior Counsel who has been appointed as Amicus Curiae.

8. Connectivity of various residential houses with the sewerage lines already laid was also matter in issue.

9. One of the issue raised by learned counsel for the petitioner is with

reference to overflow of sewerage lines in Krishnapuri Colony which requires immediate attention of the authorities to avoid spread of any water borne disease.

10. The issue regarding collection and treatment of solid waste and also plans to take care of the migratory population in the city on different festivals was also discussed. It is a matter of fact that crores of people visit Prayagraj City on different occasions, as a result there is extra generation of sewerage water and also the solid waste.

11. Request has been made for grant of some time to examine the issues in detail and place the report before the Court, as the idea is to create the facilities before the next Mahakumbh, which is scheduled in December 2024/January 2025.

12. In case, any other departments are to be coordinated, needless to add that heads of the other departments shall coordinate in this mission.

13. List again on February 22, 2023 at 2.00 P.M.

(Ajit Kumar)
Judge

(Manoj Kumar Gupta)
Judge

(Rajesh Bindal)
Chief Justice

Allahabad
02.02.2023
IrfanUddin/Sanjeev