

ITEM NO.12

COURT NO.14

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 8547-8548/2022

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(IA No. 176359/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 176361/2022 - EXEMPTION FROM FILING O.T. AND IA No. 176358/2022 - STAY APPLICATION)

WITH

C.A. No. 8967-8968/2022 (XVII)

(IA No. 179810/2022 - EX-PARTE STAY)

Date : 24-02-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s) :

Mr. S.V. Raju, A.S.G.
Mr. Sandeepan Pathak, AOR
Mr. Hitarth Raja, Adv.
Mr. Shaurya Sarin, Adv.
Mr. Rahul Gupta, Adv.

Mr. Anil Kaushik, A.S.G.
Mr. V. Giri, Sr. Adv.
Mr. Rajinder Singh, AOR
Mrs. Shashi Sharma, Adv.
Mr. Abhishek Mishra, Adv.
Mr. Rajat Rana, Adv.
Mr. Nischal Tripathi, Adv.

For Respondent(s) :

Mr. Sunil J Mathews, Adv.
Mrs. Samanwaya Rautre, Adv.
Ms. Jyoti Chib, Adv.
Mr. Rajeev Singh, AOR

Mr. Abhishek Saket, Adv.
Mr. Sudeep Kumar, AOR
Ms. Manisha, Adv.
Ms. Rupali, Adv.

Mr. Pradeep Misra, AOR
Mrs. Indu Misra, Adv.
Mr. Daleep Dhyani, Adv.

Mr. Tahir Ashraf Siddiqui, AOR
Mr. Kartikey Sahai, Adv.

Mr. Rajinder Singh, AOR

Mr. S.D. Sanjay, A.S.G.
Mr. Akshay Amritanshu, Adv.
Mr. Padmesh Mishra, Adv.
Ms. Rajeshvari Shankar, Adv.
Mr. Shashwat Parihar, Adv.
Mr. C. K. Sharma, Adv.
Mr. Yogesh Vats, Adv.
Dr. N. Visakamurthy, AOR

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

1. Pursuant to orders dated 03.12.2025 and 04.02.2026, State of U.P. has filed an affidavit through IA No. 61624 of 2026 dated 23.02.2026, *inter alia*, stating as follows:

"That, in compliance of the aforementioned orders dated 03.12.2025 and 04.02.2026 a report was called from the concerned department by the State Government, wherein it is indicated that "Executive Officer, Khoda Nagar Palika Parishad, District Ghaziabad vide letter No.150/NPP Khoda- Makanpur/2026 dated 13.02.2026 has handed over 16000 sq. meter land, purchased from Noida Authority for

setting up of 66 MLD capacity sewage treatment plant (STP) to U.P. Jal Nigam (Urban). During the process of demarcation of STP Land, dispute due to demand of road by the residents resident along one side of the land was raised and the District Administration is in process of resolving the dispute. Upon resolution of the dispute, construction of STP will be started immediately and shall be completed within 24-month period."

2. We had earlier directed, vide order dated 03.12.2025, the State to file an affidavit indicating the time schedule within which the Sewage Treatment Plant (for short "STP") would be set up by U.P. Jal Nigam. However, the affidavit filed is completely lacking on the aforesaid aspect. Moreover, it is not disclosed in the affidavit as to why there is a claim for a road over the land which has been earmarked and handed over for setting up an STP.

3. In such circumstances, we deem it appropriate to direct the State of U.P., including its officers/authorities, to ensure that the land is free from all encroachments so that STP is set up in the shortest possible time-frame. The affidavit shall also indicate the time-frame within which the same would be set up.

4. List this matter on 19.03.2026.

5. By the next date of hearing, affidavit, as directed above, shall be filed.

6. It shall be open to respondent No. 10 (Abhist Kusum Gupta) in C.A. Nos. 8547-8548 of 2022 and respondent No.1(Abhist Kusum Gupta) in C.A. Nos. 8967-8968 of 2022 to file an affidavit indicating the steps which may be adopted to ensure that waste water is not discharged into the river.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(NIKITA SINGH)
COURT MASTER (NSH)