

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NOS.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.

IA No. 176358/2022 - STAY APPLICATION

WITH

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

IA No. 179810/2022 - EX-PARTE STAY

Date : 19-03-2026 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. Shikhar Yadav, Adv.  
Mr. Rahul Gupta, Adv.

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

For Respondent(s) : Mr. Rajeev Singh, AOR  
Mr. Sunil J Mathews, Adv.  
Ms. Samanwaya Raautre, Adv.  
Ms. Jyoti Chib, Adv.  
Ms. Ashtami, Adv.

Mr. Abhishek Saket, Adv.  
Mr. Sudeep Kumar, AOR

Ms. Manisha, Adv.  
Ms. Rupali, Adv.

Mr. Pradeep Misra, AOR  
Mr. Daleep Dhyani, Adv.  
Mr. Suraj Singh, Adv.

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

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

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. On 24.02.2026, following order was passed:

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.

2. Pursuant to the above order, an affidavit has been filed on behalf of State of Uttar Pradesh stating that appropriate steps were taken by the concerned authorities and all encroachments were removed from the proposed site where Sewage Treatment Plan (for short, "STP") is to be established. Few photographs have also been annexed with the affidavit to show that work at the site has commenced. What surprises us is that the site has been made available now in the year 2026 but from Annexure 'A-1' to the affidavit it appears that an agency for setting up the STP at the site was short-listed sometimes in the year 2024. The date of start of project envisaged earlier was 04.10.2024 and now the date of completion has been extended to 30.03.2028. The aforesaid project proposes to treat 66 MLD of sewage water. It is quite possible that over these years the effluents discharge/sewage water quantity may have increased and a larger capacity STP may be required. Whether this aspect has been considered needs to be examined.

3. We also note from the order of National Green Tribunal (NGT) that the issue before the NGT was qua "remedial action against pollution of irrigation canal in NOIDA, meeting Yamuyna and then Ganga and failure of authorities in Delhi, District Ghaziabad and NOIDA in remedying the situation".

4. In that context, we have been having reports from NOIDA, Ghaziabad Nagar Nigam, Delhi Jal Board and other

concerned authorities. Moreover, the areas adjoining Delhi are interlinked and possibility of effluents discharge of Delhi, NOIDA and adjoining districts joining the streams of river Yamuna and Ganga is high, therefore, a comprehensive plan for treatment of effluent/sewage discharge is the need of the hour to ensure that these rivers which are national assets remain protected. As we have been receiving reports from various authorities, at times it is difficult for us to collate the data and do the needful. In such circumstances, we deem it appropriate to appoint Shri K. Parameshwar, Senior Advocate, Supreme Court of India to assist us as an Amicus Curiae in the matter.

5. Let copy of the record of this case be provided to Shri K. Parameshwar, Senior Advocate within two weeks from today.

6. List on 29.04.2026 at 2.00 p.m.

7. In the meantime, Central CPCB shall provide details of the relevant authorities who may be involved in making of a comprehensive plan to deal with the situation.

8. In the meantime, State of Haryana be made as a party and notice shall also be issued to it to submit its report on the steps taken by it to ensure that effluents are not discharged in river Yamuna or in any stream joining Yamuna.

(KAVITA PAHUJA)  
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)  
COURT MASTER (NSH)