

ITEM NO.36

COURT NO.2

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

CONMT.PET.(C) No.798/2023 in C.A. No.5109/2019

JITENDRA SINGH

Petitioner(s)

VERSUS

RAMESHWAR P. GUPTA &amp; ORS.

Respondent(s)

IA No. 86130/2025 - APPLICATION FOR PERMISSION

IA No. 134743/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 13719/2023 - EXEMPTION FROM FILING O.T.

Date : 11-08-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) Mr. Avneesh Garg, Adv.  
Mr. Rahul Singh Chauhan, Adv.  
Mr. Muddam Thirupathi Reddy, AOR  
Mr. Utkarsh Sharma, Adv.  
Ms. Iptisha, Adv.

For Respondent(s) Mr. Ravindra Kumar, Sr. Adv.  
Mr. V.Giri, Sr.Adv.  
Mr. Vipin Kumar Saxena, Adv.  
Mr. Shivam S., Adv.  
Mr. Binay Kumar Das, AOR

Mr. Gopal Sankaranarayanan, Sr. Adv.  
Mr. Sumeer Sodhi, AOR  
Mr. Harshit Joshi, Adv.  
Mr. Akhilesh Kumar, Adv.  
Mr. Shiv Shankar, Adv.

Ms. Garima Prasad, Sr.Adv./AAG  
Ms. Ruchira Goel, AOR

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

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

1. The issue that has arisen for consideration in this

Contempt Petition pertains to a deliberate and prolonged defiance and non-implementation of the directions that were issued by this Court way back on 25.11.2019 in Jitendra Singh vs. Ministry of Environment & Ors. (C.A. No.5109 of 2019), reported at (2020) 20 SCC 581, wherein the following directions were issued:

"23. For the reasons stated above, we allow the appeal and set aside the impugned order passed by the NGT. The allotment of all water bodies (both ponds and canals), including Khasra Nos. 552 and 490 to Respondent No. 6, or any other similar third party in village Saini, tehsil Dadari, district Gautam Budh Nagar is held to be illegal and the same is hereby quashed. Since this Court has on 15.07.2019 already directed the parties to maintain status quo, Respondent Nos. 1 to 5 shall restore, maintain and protect the subject-water bodies in village Saini. Respondents are further directed to remove all obstructions from the catchment area through which natural water accumulates in the village ponds, all within a period of three months."

2. It seems that allotment qua Khasra Nos. 552 and 490 to Respondent No. 6 and any other allottee(s) has been cancelled and both Khasras have been restored to the ownership of Greater Noida Industrial Development Authority ("GNIDA"), but the directions issued by this Court to remove obstructions from the catchment area through which natural water accumulates in the village ponds and consequential maintenance of both the ponds are still awaiting compliance.

3. In a subsequent order dated 21.08.2023, the respondents were directed to place on record the photographs indicating the current condition of the water bodies to show that the same have been restored along with the catchment area.

4. In purported compliance of those directions and after adopting all delaying tactics, now some applications have been filed along with photographs. We have no reason to doubt that the water that has accumulated temporarily at the site would neither serve the purpose of a pond nor survive for long, particularly in non-rainy seasons. Learned Senior Counsel/Counsel for the parties, however, are *ad-idem* that an Expert Committee needs to be

constituted to identify the catchment area of the ponds and supervise the restoration and maintenance of the same so that there is uninterrupted flow of water in these ponds. In this regard, the parties have suggested some names of experts. Going through the same, we constitute the following Expert Committee:

- (i) Prof. Ashvani Kumar Gosain, Retired Professor, Department of Civil Engineering, IIT Delhi (Contact No.: +91 81302 38022), as Chairperson;
- (ii) Prof. Rakesh Khosa, Retired Professor, Department of Civil Engineering, IIT Delhi (Contact No. +91 81302 38022), as Member;
- (iii) Prof. Absar Ahmad Kazmi, Professor, Department of Civil Engineering, IIT Roorkee (Contact No. +91 1332 285725), as Member;
- (iv) Dr. Suhas Khobragade, Head of Ground Water Hydrology Division and Hydrological Investigations Division, National Institute of Hydrology, Roorkee (Contact No.: +91 1332 249225), as Member;
- (v) One expert member to be nominated by the Department of Water Resources, River Development, and Ganga Rejuvenation, Ministry of Jal Shakti, Government of India, as Member; and
- (vi) The Additional Chief Executive Officer of GNIDA, as Member Secretary-cum-Nodal Officer.

5. The Member-Secretary-cum-Nodal Officer is directed to communicate this order to the Secretary, Department of Water Resources, River Development, and Ganga Rejuvenation, Ministry of Jal Shakti, Government of India as well as the experts nominated above and request them to convene a meeting within one week. It shall be the responsibility of GNIDA to provide all logistical support, including transportation, boarding, and lodging, to the

members of the Expert Committee, as and when required by them. The experts shall also be entitled to honorarium, which will be fixed by this Court in due course of time, after getting their suggestions in this regard.

6. The Expert Committee is requested to identify the catchment area, the natural flow of water in the water ponds, and the impediments that would be required to be removed for their restoration.

7. The Expert Committee is further requested to submit an interim report within four weeks from the date of its first meeting, so that appropriate directions to facilitate the responsibility given to it can be timely implemented.

8. It shall be appreciated if the Expert Committee invites suggestions from all stakeholders, including the residents of the nearby areas.

9. Meanwhile, GNIDA shall earmark a dedicated fund for the restoration of not only these two water bodies in Khasra Nos. 552 and 490 but also for all such other water bodies falling in that area, which were not the subject matter of controversy resolved by this Court in Jitendra Singh's case (supra).

10. Post the matter for hearing on 13.10.2025.

(SATISH KUMAR YADAV)  
ADDITIONAL REGISTRAR

(PREETHI T.C.)  
ASSISTANT REGISTRAR