

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 73 of 2017
(M.A. No. 638 of 2017)
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 74 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 75 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 76 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 77 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 78 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 79 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 193 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 194 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 195 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 196 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 197 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 198 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 199 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 210 of 2017
(M.A. No. 501 of 2017)
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 218 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 227 of 2017
(Earlier O.A. No. 506 of 2015)**

And

**Original Application No. 230 of 2017
(Earlier O.A. No. 506 of 2015)**

And



Original Application No. 231 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 232 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 233 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 234 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 238 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 239 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 240 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 241 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 242 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 248 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 250 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 254 of 2017
(M.A. No. 654 of 2017)
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 255 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 256 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 259 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 274 of 2017
(Earlier O.A. No. 506 of 2015)
And
Original Application No. 334 of 2017
(Earlier O.A. No. 506 of 2015)

IN THE MATTER OF:

Society for Preservation of Kasauli and its Environs (SPOKE)

Vs.

Nilgiri Hotel; Hotel Divshikha; Rudra Resorts; Hotel Wood Creek; Hotel Nature Inn; Shivalik Guest House; Anju Garg (Mando Matkanda); AAA Guest House; Hotel Kasauli Inn; Sanawar View; Gargi D/o Sh. Keshvender; Resort Sanawar Heights;

Him Darshan Regency; M/s Glen View Resorts LLP; H.P.T.D.C. (Luxor Buildtech Pvt. Ltd.);M/s Kasauli Glaxie Resourts; Ishar Sweets; M/s Kasauli Resorts Pvt. Ltd., M/s Hillock Guest House; Hotel Himani Kasauli; M/s Kasauli Residency Pvt. Ltd.; Baldev Kumar; Hotel Kasauli Woods; Smt. Sudesh Kumari; M/s. Bonzo Resort Ltd.; M/s. Valley View Hotel; M/s. Shubham Propmart Pvt. Ltd.; Mashobra Valley View Guest House; Sunrise Cottage; Hawthorn Resorts Private Ltd.; Hotel Whispering Winds; Hotel Peach View; Hingiri Hotel & Restaurant; Barog Heights Hotel and M/s. Safarmania Hotel

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant:

Mr. A.R. Takkar, Adv., Mr. Vineet Kumar and Mr. Amarjeet Kumar , Advs., and Mr. Shriya Tukkam Adv.

Mr. Gudipati G. Kashyap, and Ms. Apoorva Pandey, Advs. for Respondent no. 1

Mr. Vinay K. Kuthiala Sr. Adv. alongwith Mrs. Vandana Kuthiala, Adv. and Mr. Shaurya Kuthiala, Adv.

Mr. Salman Khurshid, Sr. Adv. alongwith Ajay Marwah, Alisha Panda, Mithali Chauhan, and Mr. Roshni W. Anand Advs.

Mr. Umesh Sharma, Adv. and Mr. Alok Bhardwaj, Adv. for Hotel Kasauli Woods
Mr. Alok Bhardwaj, Adv. for Baikunth Resorts Pvt. Ltd.

Mr. Umesh Sharma and Mr. Alok Bhardwaj, Advs. for Hotel Valley View

Mr. Umesh Sharma and Mr. Alok Bhardwaj, Advs. for Hotel Peach View

Mr. Umesh Sharma and Mr. Alok Bhardwaj, Advs. for Ms. Sudesh Kumari and Mr. Rajpal

Mr. Umesh Sharma and Mr. Alok Bhardwaj, Advs. for M/s Bonzo Resorts.

Mr. Ruchira Gupta, alongwith Mr. Anurag Sharma, Adv. for M/s Baikunth Resorts.

Mr. Ajay Marwah, Adv. for HPPCB

Mr. Aditya Dhawan, Adv. alongwith Ms. Kiran Dhawan, Adv. for HPSEBL.

Mrs. Kawaljit Kochar, Mr. Shreyas Mehrotra, Ms. Krishana Parkhani, Advs.

Mr. Bakul Jain for R-2

Mr. Mandeep Kalra, Adv. for Noticee

Mr. D.K. Thakur, AAG and Ms. Seema Sharma, DAG for State of Himachal Pradesh

Mr. Yugal Kishore Prasad for Hotel Nature Inn.

Mr. Priyanka Swami, Adv. for Ghaziabad Nagar Nigam.

Mr. Raktim Gogoi, Adv. for HPTDC

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 12 to 46</p> <p>May 26, 2017</p> <p>ss</p>	<p><u>Original Application No. 74 of 2017 – Hotel Devshikha</u></p> <p>Mr. Anil Kumar, Junior Engineer is present. He says that there is no record available. He has failed to provide any satisfactory answer to the queries of the Tribunal.</p>

<p>Item No. 12 to 46</p> <p>May 26, 2017</p> <p>ss</p>	<p>Right from 2006 till 20th August, 2014 no inspection was conducted, though consent was granted to the hotel.</p> <p>Furthermore, when this officer went for inspection, he noticed nothing which would have been visible to the naked eye and prepared a report which is patently false. According to him, there were six rooms for which he had granted consent, while it is admitted that by that time the hotelier has also carried out unauthorized construction. When noticing the intake capacity and the discharge in his report, he observed that there is no trade effluent discharged by the hotel while there are kitchen, rooms and residential blocks. Further he not even bothered to check up the septic tank which was for six rooms and whether it was sufficient to meet the demand of entire structure including unauthorized structure has been raised on the site. How the sewage is emptied, where the sewage is taken. There is no observation with regards to municipal solid waste. This appears that this report is primarily prepared for convenience of the hotel.</p> <p>Arguments in Original Application No. 74 of 2017 and Original Application No. 193 of 2017 have been concluded and the Original Applications are reserved for Judgment.</p> <p>List other matters for directions on 30th May, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Ranjan Chatterjee)</p>
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