

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

**Original Application No. 187 of 2016
(M. A. No. 352/2016)**

Mahaveer Singh Rajpurohit & Anr. Vs. State of Rajasthan

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE R. S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant :Appearance not marked
Respondent No. 1 :Mr. Shiv Mangal, Mr. Saurabh, Mr. Adhiraj**

	Date and Remarks	Orders of the Tribunal
	Item No. 02 May 06, 2016	<p>Heard. Perused.</p> <p>Learned Counsel appearing for the State of Rajasthan seeks time to file reply. Learned Counsel appearing on behalf of the applicant submits that there is an urgency to stop the illegal construction of the road upon the catchment area of the pond in question situated at Khasra No. 426 in Village Kharabera Purohitan, Tehsil Luni, District, Jodhpur. According to him, this pond at khasra No. 426, which is described as "Gair Mumkin Nadi" as a catchment area in the land situated at khasra Nos. 426, 535, 535/2 inter-alia described as "Gair Mumkin Aagore" at Village Kharabera Purohitan, Tehsil Luni, District, Jodhpur; revenue records annexure 2 collectively and the Hon'ble High Court of Judicature at Jodhpur and Jaipur has taken a serious note of the need for protecting pond and the catchment areas vide judgments in SBC Writ Petition No. 1356/2003 titled Abdul Reham Vs. State of Rajasthan and SBC Writ Petition No. 1153/2011 titled Suo Moto Vs. State of Rajasthan. He submits that the</p>

road that is to divide the catchment area and pass along the pond at Village Kharabera Purohitan, Tehsil Luni, District, Jodhpur is more ,particularly shown in the sketch drawn by local Patwari, a copy of which is annexed to the application as annexure 2 collectively at page 36.

Before we grant any time, it is necessary to protect the catchment area of the pond in question. We ,therefore, direct the Respondent- State of Rajasthan to immediately stop the construction of the road as described in the present application and more , particularly shown at annexure 2 collectively at page 36 until further orders.

Two weeks time is granted to file reply. Advance copy of the reply be furnished to the applicant, who may file rejoinder thereto ,if any, within one week thereafter.

List the matter on 01st July, 2016.

.....,JM
(U.D. Salvi)

.....,JM
(R.S. Rathore)

.....,EM
(Ranjan Chatterjee)