

Item No. 08

Court No. 1

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

Original Application No. 665/2025

Jagan Prasad Tehriya

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 23.12.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Tarun Cummra, Adv. for Applicant

Respondents: Mr. Bhanwar Pal Singh Jadon, Ms. Atika Singh, Ms. Gargi Chaturvedi &
Ms. Anjali Sharma, Advs. for R - 1, 4 to 10

ORDER

1. In this original application (OA), the applicant has alleged illegal felling of trees, illegal construction and encroachment in the ecological sensitive zone of Agra District, particularly, around the Taj Mahal and along Agra-Gwalior Highway.
2. The applicant alleges that the Agra Development Authority is constructing kiosks, paved paths, and brick-cement structures in the 100–200 year old Shahjahan Park situated between the Taj Mahal and Agra Fort.
3. The Learned Counsel for the applicant submits that in the course of construction pits have been dug up near the roots of century old trees and the green cover have been destroyed and the habitat of birds and butterflies is affected.

4. Learned Counsel for the applicant has relied upon the order of the Hon'ble Supreme Court dated 01.05.2025 passed in *W.P.(C) No.13381/1984, M.C. Mehta Vs. Union of India* passed on Report no. 20/2025 of the CEC directing that in an area located within an aerial distance of 05 km from the Taj Mahal, the original order passed by the Hon'ble Supreme Court on 08.05.2025 will continue to operate and in such cases the application will have to be made to the Hon'ble Supreme Court seeking permission to fell trees irrespective of the number of trees to be felled. He has referred to the photographs from page 88 onwards in support of the plea of destruction of trees and green cover in the area.
5. Further allegation of the applicant is that the Agra Municipal Corporation is illegally raising concrete structure for "selfie point" on the green belt ahead of Madhu Nagar on Gwalior Road. The applicant has also alleged that numerous private individuals have cut trees and erected buildings on the mandatory green belt on both sides of the Highway from the 509 Army Base Workshop to Saiya and the L&T has also indiscriminately cut the trees without obtaining necessary permissions in the metro construction work.
6. The OA raises substantial issue relating to compliance of environmental norms.
7. Issue notice to the respondents.
8. Mr. Bhanwar Pal Singh Jadon, Ms. Atika Singh, Ms. Gargi Chaturvedi and Ms. Anjali Sharma, Advocates accept notice on behalf of respondent nos. 1, 4 to 10.
9. The applicant is directed to supply a copy of the OA to the Learned Counsel for the respondents within 03 days. The said respondents are directed to file the reply affidavit within 04 weeks.

10. The oral prayer made by the Learned Counsel for the applicant to implead Agra Development Authority as the respondent no.11 is allowed.

11. The Learned Counsel for the applicant is directed to amend the cause title of the OA and file amended memo of parties and thereafter, serve notice upon the remaining respondents including the newly added respondent and file affidavit of service at least 01 week before the next date of hearing.

12. List on 12.03.2026.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 23, 2025
OA 665/2025
AM