

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

Civil Appeal No(s).3367/2020

ASHOK KUMAR SINHA

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[PART HEARD BY: HON'BLE MR. JUSTICE J.B. PARDIWALA AND HON'BLE MR. JUSTICE K.V. VISWANATHAN]

IA No. 54518/2024 - CLARIFICATION/DIRECTION

IA No. 73609/2023 - EXEMPTION FROM FILING O.T.

IA No. 28766/2024 - EXEMPTION FROM FILING O.T.

IA No. 247125/2023 - EXEMPTION FROM FILING O.T.

IA No. 184904/2023 - EXEMPTION FROM FILING O.T.

IA No. 100859/2020 - STAY APPLICATION

I.A. No. 123904/2026 - INTERVENTION APPLICATION

I.A. No.123901/2026 - APPROPRIATE ORDERS/DIRECTIONS

Date : 21-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) : Mr. Neeraj Kumar Sharma, AOR
Mr. Akash Vashishtha, Adv.
Mrs. Nidhi Agarwal, Adv.

For Respondent(s) : Ms. Aishwarya Bhati, A.S.G.
Ms. Ruchi Kohli, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Santosh Kumar, Adv.
Mr. Annirudh Sharma-II, Adv.
Mr. Sudarshan Lamba, AOR
Mr. Kumar Ajitabh, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Ruchi Kohli, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. B K Satija, Adv.
Mr. Raman Yadav, Adv.
Mr. Rohan Gupta, Adv.

Mr. Azmat Hayat Amanullah, AOR

Ms. Rebecca Mishra, Adv.

Mr. Manish Kumar, AOR
Mr. Divyansh Mishra, Adv.
Mr. Kumar Saurav, Adv.

Mr. Chandrika Prasad Mishra, AOR
Ms. Prashasti Singh, Adv.
Ms. Swati Surbhi, Adv.
Mr. Ankit Pandey, Adv.
Ms. Harshita Bhardwaj, Adv.

Mr. Uddyam Mukherjee, AOR
Mr. Swapnil Pattanayak, Adv.
Ms. Kratika Kushwaha, Adv.

Mr. Kaushal Gautam, A.A.G.
Ms. Snehpreet Kaur, AOR

Mr. Rahul Khurana, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Saurabh Rajpal, AOR
Ms. Arushi Rathore, Adv.

Mr. Abhishek Saket, Adv.
Mr. Sudeep Kumar, AOR
Ms. Manisha, Adv.
Ms. Rupali, Adv.

Ms. Swati Ghildiyal, AOR
Ms. Neha Singh, Adv.

Mr. Shubham Upadhyay, AOR
Ms. Anukriti Bajpai, Adv.
Mr. Vikas Nain, Adv.
Mr. Neeraj Kumar Yadav, Adv.
Ms. Akanshi Rawat, Adv.
Ms. Komal Yadav, Adv.

Ms. Ruchira Gupta, Adv.
Mr. Shantanu Sagar, AOR
Mr. Mohtisham Ali, Adv.
Mr. Anil Kumar, Adv.
Mr. Gunjesh Ranjan, Adv.
Mr. Prakash Kumar Mangalam, Adv.
Mr. Manoneet Dwivedi, Adv.
Mr. Abhishek Kumar Gupta, Adv.
Ms. Anshala Verma, Adv.

Mr. Shekhar Raj Sharma, A.A.G
Mr. Rahul Khurana, AOR
Ms. Nidhi Narwal, Adv.
Ms. Srishti Jain, Adv.
Ms. Bhavya Singla, Adv.

Ms. Richa Kapoor, AOR
Mr. Arnav Mehta, Adv.

Mr. Rohit K. Singh, AOR
Mr. Pritam Bishwas, Adv.
Mr. Yashveer Singh, Adv.
Mr. Kartikey Bansal, Adv.

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

1. I.A. Nos.123901/2026 & 123904/2026 are allowed.
2. Issue notice on the interlocutory applications, returnable on 23.09.2026.
3. Dasti service, in addition, is permitted.
4. Mr. Rohit K. Singh the learned counsel waive service of notice for and on behalf of the State of Uttar Pradesh.
5. By the next date of hearing, we want a comprehensive report as regards what has been stated in the interlocutory application.
6. What has been highlighted in the interlocutory application is something very serious. It is a matter of concern. We have been made to understand that the construction which is going on will ultimately lead to shrinking of the river channel of the river Yamuna in Vrindavan District Mathura, State of Uttar Pradesh.
7. Our concern is to ensure that the ecological flow of water is maintained.
8. Let status-quo be maintained. No further construction shall be undertaken till the next date of hearing.

9. Our order dated 23.04.2026 reads thus:-

"1. By our order dated 12.03.2026, we had requested Ms. Aishwarya Bhati, the learned Additional Solicitor General to take appropriate instructions and file a comprehensive detailed report as regards the questions formulated in para 23 of the order referred to above.

2. Ms. Bhati would submit that some more time may be granted to enable her to answer all the five questions formulated by this Court comprehensively with full and correct information.

3. Post this matter on 21.07.2026 as part-heard."

10. Today, when the matter was taken up for further hearing, Ms. Aishwarya Bhati, the learned A.S.G submitted that she needs some more time to place a comprehensive report on record. According to her, some of the States have furnished the information but not to her satisfaction. Some States have yet to respond.

11. We grant one last opportunity to all the States to furnish the necessary information to the Union, failing which we shall be compelled to summon the Chief Secretary of each of those States before this Court.

12. We also add two more States to our earlier list of 09 States, namely, the State of Himachal Pradesh and the State of Madhya Pradesh. Information shall be called for from these two States also at the earliest.

13. By our order dated 12.03.2026, more particularly, in para 18, we observed as under:-

"18. Out of 213 encroachments, 58 have been demolished so far whereas the State authorities have not been able to remove the balance 145 encroachments, as according to the learned counsel appearing for the State, there are some interim orders passed by the High Court and various other Courts of the district judiciary. The second stretch which the learned counsel talks about is from Nauzar Ghat to Nurpur Ghat. According to the learned counsel, there are

hundreds of encroachments insofar as the stretch from Nauzar Ghat to Nurpur Ghat is concerned."

14. We are informed that till this date, no steps have been taken to remove the encroachments. We grant six weeks' time to the State of Bihar to ensure that each and every unauthorized structures/ construction and the encroachments are removed between Nauzar Ghat to Nurpur Ghat in Patna.

15. We direct that a compliance report in this regard by way of an affidavit shall be filed by a competent authority by the next date of hearing. Any laxity in this regard will be viewed strictly.

16. We heard Ms. Rebecca Mishra, the learned counsel appearing for the State of Bihar. We request the learned counsel to convey this order to the concerned authority today itself.

17. We are informed that various courts have passed some interim orders, restraining the authorities from proceeding further with removal of encroachments. Irrespective of any order that may be in operation, our directions shall be fully complied with.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)