



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

114

**CWP-PIL-383-2025 (O&M)
Date of Decision:- 07.04.2026**

ASHOK KUMAR TIWARI

...Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present:- Mr. Nikhil Ghai, Advocate for the petitioner.

Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.

Mr. Satya Pal Jain, Addl. Solicitor General of India
(*arguing counsel through V.C.*) with
Mr. Karanvir Singh Kathuria, Central Govt Counsel UOI.

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SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The present PIL alleges a public cause, which is evident from the reliefs sought by the petitioner, which are reproduced hereinbelow for ready reference and convenience:

“i) Issuance of appropriate writ, order or direction especially in the nature of mandamus directing the official respondents to remove/demolish the commercial project "India Trade Tower and International Trade Tower" in the revenue estate of village Bharonjia, Mullanpur Sailba Majri, District SAS Nagar Mohali built by respondent No.4 M/s Bhanu Infrabuild (P) Ltd. as the same has been permitted to be constructed without obtaining environmental clearance from National Board for Wildlife in violation of the Wildlife Protection Act, 1972 and Environment (Protection) Act, 1986 despite the fact that the said project falls within 10 km of Sukhna Wild Life Sanctuary.

ii) Directing the constitution of an independent expert committee comprising wildlife experts, ecologists, and urban planners to:



- *Assess the environmental damage caused by the twin tower project to the eco-sensitive zone and wildlife of Sukhna Wildlife Sanctuary;*
- *Recommend mitigation and restoration measures; and*
- *Oversee implementation of such measures with a clear time-frame.*

iii) Directing the constitution of a Court- monitored Special Investigation Team (SIT) or, in the alternative, direct the Central Bureau of Investigation (CBI) to:

- *Investigate the acts of bribery, fraud, manipulation of distance, and abuse of power in the grant of Environmental Clearance to the twin tower project;*
- *Investigate the role and conduct of officials of SEIAA, Punjab, and other public servants involved; and*
- *Submit periodical status reports to this Hon'ble Court.*

iv) Direct the Ministry of Environment, Forest and Climate Change (MoEF&CC) and the State Government of Punjab to review and overhaul the functioning, transparency, and accountability framework of SEIAA, Punjab, including mandatory disclosure of all distance calculations, site inspections, and reasons for granting or refusing Environmental Clearances, especially for projects near Protected Areas.”

2. From a bare reading of the aforesaid relief clauses, it is evident that certain findings of the SEIAA are under challenge, including the role of certain functionaries of SEIAA. Moreover, the overall tenor of the petition essentially relates to the issue of environment.

3. Undoubtedly, the SEIAA is a body constituted under the powers vested in the Central Government under the Environment (Protection) Act, 1986, which is one of the enactments listed in Schedule I of the National Green Tribunal Act, 2010. Therefore, the National Green Tribunal can very well adjudicate the issue.

4. In view of above, this Court declines interference and relegates the petitioner to avail the appropriate remedy in accordance of with law.



5. With aforesaid liberty, petition stands disposed of.
6. Pending applications, if any, also stand disposed of.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

07.04.2026

S.Sharma

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| <i>i)</i> | <i>Whether speaking/reasoned?</i> | <i>Yes/No</i> |
| <i>ii)</i> | <i>Whether reportable?</i> | <i>Yes/No</i> |