

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.102/2022/EZ

Mirjum Karba Applicant(s)
Versus

Union of India & Ors. Respondent(s)

Date of hearing: 24.04.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s) : Ms. Joyee Maiti, Advocate a/
Mr. Saikat Koley, Advocate

For Respondent(s) : Mr. Ashok Prasad, Advocate for R-2,3,4,5,7 & 8,
Mr. Surendra Kumar, Advocate for R-6

ORDER

1. Ms. Joyee Maiti, learned Counsel assisted by Mr. Saikat Koley, learned Counsel is present on behalf of the Applicant.
2. Affidavit dated 16.03.2023 has been filed on behalf of the Respondent No.1, Ministry of Environment, Forests and Climate Change (MoEF&CC); the same is taken on record.
3. Supplementary-affidavit dated 19.04.2023 has been filed on behalf of the Applicant; the same is taken on record.
4. Notice were issued on 02.09.2022 but till date the State Respondents have not filed their counter-affidavits.
5. The matter was again taken up on 06.12.2022 but no counter affidavit was filed by the State Respondents.
6. The case was again taken up on 06.01.2023 but no counter affidavit was filed by the State Respondents.

7. On 03.02.2023, again one-month time was granted to the State Respondents for filing counter-affidavit but till date, counter-affidavit has not been filed.
8. We, therefore, direct the Chief Secretary of Arunachal Pradesh to be present in the Court proceedings (in Virtual Mode) on the next date of listing with his explanation explaining as to why in eight months the counter-affidavits could not be filed.
9. We make it very clear that the affidavit of the Chief Secretary must explain why the counter-affidavit could not be filed even in eight months.
10. **List on 03.05.2023.**

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B. Amit Sthalekar, JM

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Dr. Afroz Ahmad, EM

April 24, 2023
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SKB