

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

Original Application No.108/2023/EZ

Arsad Nasar

Applicant(s)

Versus

The Department of Environment, Forests
& Climate Change & Ors.

Respondent(s)

Date of hearing: 04.12.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Ms. Paushali Banerjee, Advocate (in Virtual Mode) a/w
Mr. Dipanjan Ghosh, Advocate

For Respondent(s) : Mr. Surendra Kumar, Adv. for R-1-3&8, (in Virtual Mode)
Mr. Prithwish Basu, Advocate for R4,5&7,

ORDER

1. Ms. Paushali Banerjee, learned Counsel appearing (in Virtual Mode) along with Mr. Dipanjan Ghosh, learned Counsel for the Applicant.
2. Affidavit dated 27.11.2023 has been filed on behalf of the Respondent No.8, Divisional Forest Officer, Jamui; the same is taken on record.
3. Affidavit dated 28.11.2023 has been filed on behalf of the Respondent No.3, Superintendent of Police, Sheikhpura; the same is taken on record.
4. Mr. Prithwish Basu, learned Counsel files Vakalatnama on behalf of the Respondent Nos.4, 5 & 7, Private Respondents; the same is taken on record. Learned Counsel prays for and is granted two weeks time for filing counter-affidavit.
5. Mr. Basu also states that he has not been served with the copies of the two affidavits dated 27.11.2023 and 28.11.2023 filed by the

Divisional Forest Officer, Jamui, and Superintendent of Police, Sheikhpura.

6. Mr. Surendra Kumar, learned Counsel appearing (in Virtual Mode) for State Respondents, Government of Bihar, undertakes to serve the copies of the affidavits dated 27.11.2023 and 28.11.2023 upon Mr. Prithwish Basu, learned Counsel within 24 hours.
7. Ms. Paushali Banerjee, learned Counsel and Mr. Dipanjan Ghosh, learned Counsel pray for and are granted two weeks time for filing rejoinder affidavit to the affidavits which are already on record.
8. We find that the copy of the Original Application along with its annexures served by the Applicant on the Respondent No.6 through registered post has been returned back with the postal endorsement 'refused'. However, we direct that notice of this Original Application along with its annexures be served upon the Respondent No.6 through the Office of the District Magistrate, Sheikhpura, Bihar, who shall thereafter file affidavit of service.
9. **List on 18.01.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

December 04, 2023,
Original Application No.108/2023/EZ
AK