

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

Original Application No.115/2023/EZ

Shankar Dayal Mishra

Applicant(s)

Versus

State of Bihar & Ors.

Respondent(s)

Date of hearing: 10.10.2023

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

For Applicant(s) : None

For Respondent(s) : Ms. Anamika Pandey, Advocate for R-1 (in Virtual Mode),
Mr. Surendra Kumar, Advocate for R-2&5 (in Virtual Mode),
Mr. Sibojyoti Chakraborty, Advocate for R-3 (in Virtual Mode),
Ms. Amrita Pandey, Advocate for R-4 (in Virtual Mode),
Mr. Uttam Kr. Mondal, Advocate a/w
Ms. Matri Roy, Advocate for R-6 (in Virtual Mode)

ORDER

1. Case called out. No one is present on behalf of the Applicant.
2. Office of the Tribunal informs that in pursuance of the order of the Tribunal dated 08.09.2023, due notice has been issued on the e-mail address given by the Applicant.
3. Ms. Anamika Pandey, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent No.1, Ministry of Environment, Forests and Climate Change (MoEF&CC), Ms. Amrita Pandey, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent No.4, Bihar Pollution Control Board, Mr. Sibojyoti Chakraborty, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent No.3, Central Pollution Control Board and Mr. Surendra Kumar, learned Counsel appearing (in Virtual Mode) on behalf of the State Respondents, Government of Bihar, particularly for

Respondent No.5, District Magistrate, Bhagalpur, Bihar pray for and are granted three weeks time for filing their counter affidavits.

4. The affidavit on behalf of the State Respondent, Government of Bihar shall be filed by the District Magistrate, Bhagalpur. The District Magistrate, Bhagalpur shall also take steps for service of notice of this case on the Applicant and the District Magistrate shall also file the affidavit of service within one week with the office of the Tribunal, along with his counter affidavit.
5. Mr. Uttam Kumar Mondal, learned Counsel for the Respondent No.6, NTPC Limited, states that he has not yet been served with the copy of the Original Application and other documents on record.
6. Office of the Tribunal shall provide the copy of the Original Application along with all its annexures to the Counsel for Respondent No.6, NTPC Limited, within 48 hours. Respondent No.6 is also granted three weeks time for filing its counter-affidavit.
7. **List on 07.11.2023.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

October 10, 2023,
Original Application No.115/2023/EZ
SKB