

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

Original Application No.114/2023/EZ
(Earlier O.A. No.609/2022/PB)

Dr. Subash Kumar	Versus	Applicant(s)
State of Jharkhand & Ors.		Respondent(s)

Date of hearing: 02.02.2024

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

For Applicant(s) : Mr. Pandey Neeraj Rai, Advocate (in Virtual Mode)

For Respondent(s) : Ms. Aishwarya Rajyashree, Adv. for R-1-3&5, (in Virtual Mode)
 Ms. Ekta Singh, Adv. for R-4, (in Virtual Mode)

ORDER

1. Mr. Pandey Neeraj Rai, learned Counsel is present (in Virtual Mode) for the Applicant.
2. It is regrettable that order in the case was passed as far back as on 22.09.2022 but the State Respondents have not cared to file counter-affidavit till date.
3. Ms. Aishwarya Rajyashree, learned Counsel appearing (in Virtual Mode) for State Respondents, Government of Jharkhand, states that counter-affidavit has to be filed by the Director, Mining and Geology, State of Jharkhand, Respondent No.3.
4. If that be so, there is no reason why the said officer could not file his counter-affidavit even after passage of one and half years.
5. We, therefore, impose a personal cost of Rs.1,000/- (Rupees One Thousand only) upon the Director, Mining and Geology, State of Jharkhand, which shall be deposited by him with the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata, within 15

days, failing which action under Section 26 of the National Green Tribunal Act, 2010, be taken against him.

6. The Respondent No.3 may file its counter-affidavit within two weeks.
7. No one is present on behalf of the Respondent No.6, though the name of Mr. Rajat Sharma is printed in the cause-list as Counsel for the said Respondent.
8. **List on 14.02.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

February 02, 2024,
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