

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

Appeal No.18/2023/EZ

Haripada Manna

Appellant(s)

Versus

State of Odisha &Ors.

Respondent(s)

Date of hearing: 27.07.2023

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

For Appellant(s) : Mr. Sankar Prasad Pani, Advocate

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel is present for the Appellant.
2. The order under challenge in the present Appeal is of 26.04.2023. Mr. Sankar Prasad Pani, learned Counsel states that the Appeal was filed on 20.05.2023.
3. We are informed that the Appeal when it was filed at the initial stage, was defective and after the defects were removed, the present Appeal No.18/2023/EZ was re-filed in April, 2023, and was registered on 24.07.2023.
4. In the circumstances, we are of the view that the present Appeal has been filed within time.
5. The Appellant in the present Appeal is seeking quashing of the order dated 26.04.2023, challenging the District Survey Report (DSR) of District-Balasore, for mining of Sand, Stone, Morrum, Brick Earth for the period of 2023-2028 located in District-Balasore, State of Odisha.

6. In our opinion, matter requires consideration.
7. Issue notice to the Respondents, returnable within four weeks.
8. Mr. Tarun Patnaik, learned Additional Standing Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent Nos.1, 2, 3, 6, 7 & 8, State Respondents, Government of Odisha.
9. Mr. Dipanjan Ghosh, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.4, Member Secretary, Odisha State Pollution Control Board.
10. Mr. Apurba Ghosh, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.5, State Environment Impact Assessment Authority (SEIAA), Odisha.
11. Ms. Rashmi Singhee, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.9, Ministry of Environment, Forests and Climate Change.
12. All the Respondents shall file their counter-affidavits within four weeks.
13. Learned Counsel for the Appellant shall serve e-copy/soft copy of the Memo of Appeal along with all its annexures upon Mr. Tarun Patnaik, Mr. Dipanjan Ghosh, Mr. Apurba Ghosh and Ms. Rashmi Singhee, Counsel for the Respondents within 24 hours.
14. **List on 29.08.2023.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

July 27, 2023,
Appeal No.18/2023/EZ
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