

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

Original Application No.84/2023/EZ

|                        |        |               |
|------------------------|--------|---------------|
| Abani Kumar Sahoo      |        | Applicant(s)  |
|                        | Versus |               |
| State of Odisha & Ors. |        | Respondent(s) |

Date of hearing: 24.01.2024

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

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate (in Virtual Mode)

For Respondent(s) : Mr. Tarun Patnaik, ASC for R- 1,2,3,6 & 7 (in Virtual Mode),  
Ms. Papiya Banerjee Bihani, Advocate for R- 4 (in Virtual Mode),  
Mr. Apurba Ghosh, Advocate for R- 5 (in Virtual Mode),  
Mr. Pratik Dash, Advocate for R- 8 (in Virtual Mode)

**ORDER**

1. Mr. Sankar Prasad Pani, learned Counsel is present (in Virtual Mode) for the Applicant.
2. Affidavit dated 05.12.2023 has been filed by Respondent No.5, State Environment Impact Assessment Authority (SEIAA), Odisha; the same is taken on record.
3. The Respondent No.6, Divisional Forests Officer, Balasore Wildlife Division has not filed his affidavit.
4. In the affidavit of the Collector-cum-District Magistrate, Balasore in para 8, it is stated that the issue of DLC in connection with the above source with respect to the land in question will be clearer after DGPS Survey of the said source is made. It is further stated that it has been reported by the forest officials that the DGPS Survey or the above source will be conducted by the ORSAC, Bhubaneswar shortly.

- 5. In this view of the matter, we are of the view that the Divisional Forest Officer, Balasore must file his counter-affidavit stating what action has been taken in this regard.
- 6. Mr. Tarun Patnaik, learned Additional Standing Counsel appearing (in Virtual Mode) on behalf of the State Respondents, prays for and is granted three weeks time for filing counter-affidavit.
- 7. In the meantime, Mr. Sankar Prasad Pani, learned Counsel for the Applicant prays for and is granted three weeks time for filing rejoinder affidavit to the affidavits on record.
- 8. **List on 15.03.2024.**

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**B. Amit Sthalekar, JM**

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**Dr. Arun Kumar Verma, EM**

January 24, 2024,  
Original Application No.84/2023/EZ  
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