

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

Original Application No.147/2023/EZ

Pradip Kumar Pattnaik

Applicant(s)

Versus

Union of India & 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) : Mr. Sisir Das, Sr. Advocate (in Virtual Mode)

For Respondent(s) : Ms. Rashmi Singhee, Advocate for R-1 (in Virtual Mode),
Mr. Tarun Patnaik, ASC for State Resps. (in Virtual Mode),
Ms. Papiya Banerjee Bihani, Adv. for R-9 (in Virtual Mode),
Mr. Apurba Ghosh, Advocate for R-10 (in Virtual Mode)

ORDER

1. Mr. Sisir Das, learned Senior Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Ms. Papiya Banerjee Bihani, learned Counsel files Vakalatnama on behalf of the Respondent No.9, Odisha State Pollution Control Board; the same is taken on record. When the case is next listed, the name of Ms. Papiya Banerjee Bihani shall be printed in the cause list as the Counsel for Respondent No.9.
3. Ms. Papiya Banerjee Bihani states that she has filed the counter-affidavit but the same is not on record.
4. Learned Counsel for the Applicant states that he has not been served with the copy of the affidavit filed by Odisha Pollution Control Board. Ms. Papiya Banerjee Bihani, learned Counsel shall serve the copy of the affidavit with all its annexures on all the Respondents as well as the Applicant within 24 hours. Ms. Banerjee shall also e-file the copy of the affidavit with the Tribunal today itself.

5. Mr. Tarun Patnaik, Mr. Apurba Ghosh and Ms. Rashmi Singhee, learned Counsel pray for and are granted three weeks time for filing their counter affidavits.

6. **List on 18.01.2024.**

I.A. No.64/2023/EZ

7. I.A. No.64/2023/EZ has been filed by Mr. Manoj Kumar Pati, learned Counsel praying that he may be allowed to appear in the present proceedings as an Intervener Applicant. Nothing has been disclosed in the I.A. as to why the Applicant should be heard and whether his rights are affected by any order which may be passed by the Tribunal. No details have been given in the I.A. as to why the Applicant wants to be impleaded as an ‘Intervener’ other than stating that he is a “citizen of Cuttack”. All that has been stated is that he is a bonafide ‘citizen’ of the city of Cuttack and he wants to raise certain facts in the larger interest of the city of Cuttack and its pop`ulace without consideration of which the final outcome of the case may not be rendered absolute. The Applicant of the present Original Application is himself a resident of the city of Cuttack and has raised several issues which the Court has taken cognizance of at the time of admission of the O.A. Mr. Manoj Kumar Pati, learned Counsel may assist the Applicant, if he so desires.

8. I.A. No.**64/2023/EZ** is accordingly rejected.

9. There shall be no order as to costs.

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

December 04, 2023,
Original Application No.147/2023/EZ
SKB