

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No.82/2015/EZ
(M.A. No.15/2021/EZ)
(I.A. No.178/2022/EZ)

Biranchi Narayan Mahapatra

Applicant(s)

Versus

State of Odisha &Ors.

Respondent(s)

Date of hearing: 27.07.2022

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : None

For Respondent(s) : Ms. Samapika Mishra, ASC for R-1,2,4 & 6, (in Virtual Mode)
Ms. Papiya Banerjee Bihani, Advocate for R-3, (in Virtual Mode)
Mr. Surya Prasad Mishra, Sr. Advocate a/w Mr. Ramesh
Sahoo, Advocate (in Virtual Mode) for R-5,
Mr. Sankar Prasad Pani, Advocate in M.A., (in Virtual Mode)

ORDER

1. An adjournment has been sought by Mr. Biranchi Narayan Mahapatra, the Applicant in person, on grounds of his personal difficulty.
2. One compliance affidavit dated 25.07.2022 has been filed on behalf of the Respondent No.5, Berhampur Municipal Corporation; the same is taken on record.
3. Matter is accordingly adjourned.
4. **List on 29.09.2022.**

I.A. No. 178/2022/EZ:-

1. The I.A. No. 178/2022/EZ is taken up.
2. This I.A. has been filed by the Applicant, Berhampur Municipal Corporation (Respondent No.5 in O.A.), with the prayer that the Applicant be granted further time to complete the eviction process

in respect of 11 water bodies and to file affidavit of compliance before the Tribunal.

3. In para 4 of the I.A. it is stated that eviction process in respect of 8 water bodies has been completed in all respects and in respect of two water bodies, namely, Purnabasi and Lanjipalli Gouda Bandha, the process is half completed due to law and order problem.
4. So far as Balaji Pentha is concerned, Mr. Sankar Prasad Pani, learned Counsel appearing (in Virtual Mode) has filed M.A. No. 15/2021/EZ and this Tribunal has stayed the eviction proceedings on 04.03.2022.
5. Mr. Surya Prasad Mishra, learned Senior Counsel assisted by Mr. Ramesh Sahoo, learned Counsel appearing (in Virtual Mode) for Berhampur Municipal Corporation (Applicant herein), states that the eviction process in respect of Purnabasi water body has also been completed on 23.07.2022 but so far as Lanjipalli Gouda Bandha water body is concerned, two months time is required.
6. In view of above, we allow the I.A. No. 178/2022/EZ granting further two months time to the Berhampur Municipal Corporation to complete the process of eviction in respect of all the water bodies including Lanjipalli Gouda Bandha and file affidavit of compliance.

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

July 27, 2022,
Original Application No.82/2015/EZ
(M.A. No.15/2021/EZ)
(I.A. No.178/2022/EZ)
AK