

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

Appeal No.16/2023/EZ
(I.A. No.30/2023/EZ)

Ruma Kaibartya & Anr.

Appellant(s)

Versus

The West Bengal Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 19.07.2023

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

For Appellant(s) : Mr. Nilanjan Pal, Advocate

For Respondent(s) : Mr. Sibojyoti Chakraborty, Adv. R-1, (in Virtual Mode)
Mr. Sudip Kumar Dutta, Adv. for R-2-4, (in Virtual Mode)

ORDER

1. Mr. Nilanjan Pal, learned Counsel is present for the Appellants.
2. Supplementary affidavit dated 17.07.2023 bringing on record the judgment and order of the Hon'ble High Court dated 14.06.2022 passed in WPA(P) No.32/2021 (*Uttam Kumar Paul Vs. The State of West Bengal & Ors.*) has been filed on behalf of the Appellant; the same is taken on record.
3. Mr. Sudip Kumar Dutta, learned Counsel appearing for State Respondents, Government of West Bengal, states that counter-affidavit has already been filed by the Block Land & Land Reforms Officer, Nabadweep, District-Nadia.
4. The office of the Tribunal informs that the said affidavit is defective since the documents filed with the affidavit are in vernacular Bengali and the English translated copy of the same have not been filed.

5. We, therefore, impose a cost of Rs.1,000/- (Rupees One Thousand only) upon Mr. Naveen Kumar Gautam, Block Land & Land Reforms Officer, Nabadweep, District-Nadia, for having filed defective affidavit. The amount of cost shall be deposited with the Ld. Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata, within one week. Let him file the corrected copy of the affidavit along with its annexures within one week after serving copy of the same on the other Counsel for the various parties.
6. Mr. Sibojyoti Chakraborty, learned Counsel appearing (in Virtual Mode) for Respondent No.1, West Bengal Pollution Control Board, states that the State Board will adopt the counter-affidavit filed by the State Respondents, Government of West Bengal and, therefore, the State Board does not want to file any separate affidavit.
7. **List on 16.08.2023.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

July 19, 2023,
Appeal No.16/2023/EZ
(I.A. No.30/2023/EZ)
AK