

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

Original Application No.133/2023/EZ
(I.A. No.30/2024/EZ)

Serajul Islam & Anr.

Applicant(s)

Versus

The State of West Bengal & Ors.

Respondent(s)

Date of hearing: 17.04.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s) : Ms. Nasreen Islam, Adv. (in Virtual Mode)

For Respondent(s) : Mr. Sudip Kumar Dutta, Adv. for State Respondents,
Mr. Sibojyoti Chakrabarti, Adv. for R-8 and 9,
Mr. Dipanjan Ghosh, Adv. for R-10 (in Virtual Mode),
Mr. Mostafijur Rahaman, Adv. for R-13 to 15,
Mr. Supratick Syamal, Adv. a/w
Mr. Alokesh Dalai, Adv. for R-16 & 17,
Mr. Argha Dip Das, Adv. for R-18 and 19

ORDER

1. Ms. Nasreen Islam, learned Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Affidavit dated 11.04.2025 has been filed on behalf of the Respondent No.5, District Magistrate, Birbhum ; the same is taken on record.
3. Rejoinder affidavit dated 05.02.2025 has been filed by the Applicant ; the same is taken on record.
4. Rejoinder affidavit dated 05.02.2025 filed in the office of the Tribunal on 06.02.2025 containing large number of photographs from pages 401 to 406 (Colly) apparently showing large scale mining going on in Nalhati, West Bengal using dumpers and heavy

trucks as on 01.02.2025, 31.01.2025 and thereafter also on 04.02.2025 and some other dates.

5. Though the date of the affidavit is 05.02.2025, the Counsel for the Respondents state that the copy of the same has been served upon them by the Applicant only on 16.04.2025.
6. We strongly deprecate the conduct of the Applicant in keeping his affidavit for two months without serving the same upon the Respondents with the result that no reply could be given by the Respondents and the Respondents have been served only on 16.04.2025 i.e. after wasting two months of time of the Court within which time adequate reply could have been given by the State Authorities.
7. We therefore impose a personal cost of Rs.2500/- (Rupees two thousand five hundred only) upon the Applicant to be deposited within one week with the Registrar, National Green Tribunal, Eastern Zone Bench.
8. Considering the above, we direct the State Respondents to submit their categorical reply with regard to the allegations made in the rejoinder affidavit dated 05.02.2025.
9. **List on 09.07.2025.**

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B. Amit Sthalekar, JM

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Dr. Satyagopal Korlapati, EM

April 17, 2025,
Original Application No.133/2023/EZ
(I.A. No.30/2024/EZ)
SKB