

Original Application No.01/2024/EZ

Applicant(s)

Respondent(s)

Respondent(s)

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

For Respondent(s): Mr. Sudip Kumar Dutta, Advocate for 1,3,6,7,8,10&11,
State Respondents,
Mr. Apurba Ghosh, Advocate for R-2 (in Virtual Mode),
Mr. Ayush Kumar Dadhich, Advocate for R-4,
Mr. Dipanjan Ghosh, Advocate for R-8,
Mr. Rishav Majumder, Advocate for R-9 (in Virtual Mode),
Mr. Indradip Das, Advocate for R-15&23 (in Virtual Mode),
Mr. Bhaskar Dwivedi, Advocate a/w
Ms. Jyoti Rauth, Advocate for R-14 (in Virtual Mode),

1. Mr. Ankur Sharma, the Applicant is present in person.
2. Affidavit dated 29.07.2024 has been filed by the Respondent No.23, Private Respondent; the same is taken on record.
3. Affidavit dated 29.07.2024 has been filed by the Respondent No.9, Kheyadaha-II Gram Panchayat; the same is taken on record.
4. Affidavit dated 15.05.2024 has been filed by the Respondent No.15, Private Respondent; the same is taken on record.
5. Affidavit dated 19.07.2024 has been filed by the Respondent No.5, Chief Technical Officer, East Kolkata Wetlands Management Authority, Environment Department, Government of West Bengal; the same is taken on record.

6. Affidavit dated 18.09.2024 has been filed by the Respondent No.8, West Bengal State Electricity Distribution Company Limited; the same is taken on record.
7. Rejoinder affidavit dated 18.09.2024 has been filed by the Applicant; the same is taken on record.
8. Another rejoinder affidavit dated 18.09.2024 has been filed by the Applicant; the same is taken on record.
9. No one has appeared on behalf of the Respondent Nos.16,18,20,21,22 and 25, Private Respondents till date, though the Affidavit of Service is on record and shows service upon the said Respondents except Respondent No.16. We, therefore, direct that the case in future shall proceed ex-parte against the aforesaid Respondent Nos.18, 20, 21, 22 and 25. So far as Respondent No.16 is concerned, the Office Report shows that the notice sent to him could not be served as he could not be located as per the Postal Track Report.
10. The Applicant shall take steps to serve fresh notice upon the Respondent No.16, Shri Swapan Majumder, Private Respondent and file Affidavit of Service within one week.
11. Mr. Ayush Kumar Dadhich, learned Counsel appearing for the Respondent No.4, West Bengal Pollution Control Board states that since the West Bengal Pollution Control Board is a Member of the Committee, it will adopt the affidavit of the District Magistrate.
12. Mr. Sudip Kumar Dutta, learned Counsel appearing for the State Respondents informs that there is a discrepancy in the stand taken by the East Kolkata Wetlands Management Authority and the stand taken by the District Magistrate which requires clarification by the

District Magistrate. Learned Counsel prays for and is granted three weeks time for filing counter-affidavit of the District Magistrate.

13. **List on 09.12.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

September 19, 2024,
Original Application No.01/2024/EZ
OM