

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.57/2021 (WZ)
I.A. No.127/2022(WZ)**

Nileshbhai Babubhai Rathod & 3 Ors.

.....Applicant(s)

Versus

Gujarat Pollution Control Board & 4 Ors.

....Respondent(s)

WITH

Appeal No.46/2022 (WZ)

Shardulbhai Devjibhai Chudasama & Anr.

.....Appellant(s)

Versus

SEIAA, Gujarat & Ors.

....Respondent(s)

WITH

Appeal No.47/2022 (WZ)

Shardulbhai Devjibhai Chudasama & Anr.

.....Appellant(s)

Versus

SEIAA, Gujarat & Ors.

....Respondent(s)

WITH

Appeal No.11/2023 (WZ)

Shardulbhai Devjibhai Chudasama & Anr.

.....Appellant(s)

Versus

SEIAA, Gujarat & Ors.

....Respondent(s)

Date of hearing: 16.01.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant/Appellant : Ms. Shilpa Chohan, Advocate
Respondent(s) : Mr. Maulik Nanavati, Advocate for R-1 to R-3 and R-5
In O.A. and for R-1 to R-4 in Appeals
Mr. Aravindakshan V. Nair, Advocate for R-3 in
Appeal No.11/2023
Mr. Rahul Garg, Advocate for R-11 in O.A.57/2021
and for R-5 in Appeals
Ms. Garima Malhotra, Advocate for R-6 to 10 in
O.A. 57/2021, R-6 in Appeals 46 & 47 of 2022 &
Appeal 11 of 2023

ORDER

1. From the side of applicants, learned counsel Ms. Shilpa Chohan has appeared.

2. An e-mail dated 16.01.2024 has been received from respondent No.3/GPCB represented by learned counsel Mr. Aravindakshan V. Nair in Appeal No.11/2023(WZ), informing us that Appeal No.11/2023(WZ) along-with connected matters i.e. Original Application No.57/2021(WZ), Appeal No.46/2022(WZ) and Appeal No.47/2022(WZ), in which Mr. Maulik Nanavati is a leading Advocate on behalf of the GPCB, whose arguments, he would adopt. Besides that, he has informed us that Special Civil Application No.7803 of 2019 is still pending consideration before the Hon'ble High Court of Gujarat. Therefore, these matters need to be adjourned till the decision of the Hon'ble High Court of Gujarat.

3. An e-mail dated 15.01.2024 has also been received from learned counsel Mr. Satyam Y. Chhaya and learned counsel Ms. Garima Malhotra representing respondent Nos.6 to 10 in Original Application No.57/2021, respondent No.6 in Appeal Nos.46 & 47 of 2022 and Appeal No.11/2023, praying for adjournment of all above-mentioned applications on the ground that due to wedding of son of learned Senior Counsel Mr. Rajesh Sanjanwala representing above respondents, he is unable to appear before this Tribunal. We allow the prayer.

4. Looking to the fact that the matter is still under consideration before the Hon'ble High Court of Gujarat in Special Civil Application No.7803 of 2019, we direct the Registry to list these matters before us after decision taken by the Hon'ble High Court.

5. We direct all party concerned that as soon as the Order/Judgment would be passed by the Hon'ble High Court of Gujarat, the same shall be informed to this Bench immediately and thereafter, appropriate direction would be passed to list these matters before us.

6. In the meantime, we also direct all the parties concerned to complete the pleadings in these matters.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 16, 2024
Original Application No.57/2021(WZ)
I.A. No.127/2022(WZ)
along-with other connected matters
P.Kr