

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.61/2023(WZ)
[I.A No.03/2024(WZ)
(Earlier I.A. No.896/2023(PB))
Earlier Original Application No.549/2022(LP)]**

Mr. Firdos Cambatta

.....Applicant

Versus

State of Gujarat & Ors.

....Respondent(s)

Date of hearing: 01.03.2024

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

Applicant : None appeared

Respondent : Mr. Maulik Nanavati, Advocate for R-6/GPCB

ORDER

1. An e-mail dated 28.02.2024 has been received from learned counsel Ms. Ranu Purohit representing applicant praying therein for adjournment of this case on medical ground. We allow the same.

2. By our previous order dated 11.12.2023, we had directed the learned counsel Mr. Maulik Nanavati representing respondent No.6-GPCB to file an affidavit in respect of giving clarity, as to whether any permissions were granted for felling of trees at the site in question? In this regard, he submits that he has already made correspondence with the Government but no response so far has been received because of which no reply affidavit could have been filed.

3. The previous date i.e. 11.12.2023 was the 2nd opportunity provided to the learned counsel for respondent No.6-GPCB to file the reply and we

have also gone to the extent of recording in our order that if no reply affidavit would be filed on the next date, we would have no option but to proceed against them *ex-parte*, despite knowing the fact that it will not serve the purpose to proceed against them *ex-parte* in environmental issues. None has appeared today from the side of respondent No.1- State of Gujarat through its Chief Secretary; respondent No.2-Sabarmati Riverfront Development Corporation Ltd. through its Managing Director; respondent No.3-The Commissioner, Ahmedabad Municipal Corporation; respondent No.4/The Collector-Cum-District Magistrate; respondent No.5/Gujarat State Aviation Infrastructure Company Ltd.; and respondent No.7- Forest Department, State of Gujarat.

4. The learned counsel for respondent No.6-GPCB has assured us that he would be informing above-mentioned statutory authorities on his personal level once again that someone should appear from their side before this Tribunal on the next date.

5. We make it clear that on the next date, if none appears from the side of above-mentioned statutory authorities, we would have no option but to order for personal appearance of the Officers of the above-mentioned statutory authorities before us.

Put up this matter for further consideration on 01.07.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

March 01, 2024
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