

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**ORIGINAL APPLICATION NO.147/2023 (WZ)
[Earlier Diary No.2704105003662023]**

Irfan Baloch & Ors.

.....Applicants

Versus

MoEF&CC & Ors.

....Respondents

Date of hearing: 14.11.2025

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

Applicants	:	Ms. Meenaz Kakalia, Advocate along-with Ms. Sejal Khan, Advocate
Respondents	:	Mr. Pushkal Mishra, Advocate for R-1/MoEF&CC Dy. Conservator of Forest, for R-4 Mr. Anand Mehta, Advocate along-with Mr. Ishan G. Joshi, Advocate for R-10 & R-11 Ms. Manvi Damle, Advocate h/f Mr. Maulik Nanavati, Advocate for GPCB.

ORDER

1. By our previous order dated 01.09.2025, we had directed learned counsel for the applicants to file service affidavit, in compliance with which she states that the service affidavit is already on record and has drawn our attention to earlier service affidavit dated 28.10.2023, which is annexed at page nos.213 to 215 of the paper book, which appears to have been filed on an earlier date and not in pursuance to our previous order and even in that affidavit, the service of notice is said to have been effected upon Respondent Nos.1 to 5 and 7 through e-mail dated 19.10.2023 only, which is not appropriate, as all the Respondents were required to be served notice through Registered Post. It is further mentioned in this affidavit that service of notices have been effected upon Respondent Nos.6 & 8 to 12 by Registered Post on 23.10.2023, which is long back, but no

proof thereof has been annexed by giving track report. Therefore, we find that this service affidavit is absolutely bogus and it is deemed that the affidavit of service in compliance with our previous order has not been filed.

2. From the side of Respondent No.1- MoEF&CC, learned counsel Mr. Pushkal Mishra has appeared and submitted that no relief is sought against Respondent No.1 in this matter, hence he would not be filing reply affidavit in this matter.

3. From the side of Respondent No.10- Trinethra Wind & Hydro Power Ltd. and for Respondent No.11- Renuable Trinethra Pvt. Ltd., learned counsel Mr. Anand Mehta has appeared, who submits that he did not file the reply affidavit because an amended Original Application was to be filed by the applicants. But learned counsel for the applicants has denied to have said so nor does she intend to file the same. We grant learned counsel for Respondent Nos.10 & 11 four weeks' time, by way of last opportunity, to file reply affidavit in this matter.

4. The remaining Respondents, who/which are not present today, on them, service of notice cannot be held to be sufficient because of lack of affidavit of service having been filed by the applicants. Therefore, we direct learned counsel for the applicants to file the same within a week positively, subject to payment of cost of Rs.5,000/- (Rs. Five Thousand Only) to be paid in the account of NGT Bar Association (Western Zone) at Pune within one week.

5. Put up this matter for further consideration on 28.01.2026.

Dinesh Kumar Singh, JM

Dr. Sujit Kumar Bajpayee, EM

November 14, 2025
ORIGINAL APPLICATION NO.147/2023 (WZ)

P.Kr