

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**ORIGINAL APPLICATION NO.148 OF 2023 (WZ)
[Earlier Diary No.2704105003672023]**

Katiya Haidarali Ahmadbhai & Ors.

.....Applicants

Versus

State of Gujarat & Ors.

....Respondents

WITH

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

Irfan Baloch & Ors.

.....Applicants

Versus

MoEF&CC & Ors.

....Respondents

WITH

**ORIGINAL APPLICATION NO.47 OF 2023 (WZ)
[Earlier Original Application No.27/2023(LP)]**

**IN RE: NEWS ITEM PUBLISHED IN THE TIMES OF INDIA
DATED 03.01.2023 TITLED “ENCROACHMENT ALLEGED
INSIDE WILD ASS SANCTUARY”**

Date of hearing: 26.06.2025

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

In O.A. 148/2023 (WZ)

Applicants	:	Ms. Meenaz Kakalia, Advocate
Respondents	:	Ms. Reshma Mutha, Advocate h/f Mr. Parth H. Bhatt, Advocate for R-1 Ms. Manvi Damle, Advocate h/f

Mr. Maulik Nanavati, Advocate for GPCB
Ms. Garima Malhotra, Advocate for R-13 & 18/P
Mrs. Madhvi Rahirkar, Advocate h/f
Mr. Nithin Deshpande, Advocate for R-16

In O.A. 147/2023 (WZ)

Applicants : Ms. Meenaz Kakalia, Advocate
Respondents : Ms. Manvi Damle, Advocate h/f
Mr. Maulik Nanavati, Advocate for GPCB
Mr. Dhanesh Desai, Advocate for R-10 and R-11

In O.A. 47/2023 (WZ)

Respondent : Mr. Aravindakshan V. Nair, Advocate for R-7/GPCB

ORDER

ORIGINAL APPLICATION NOS.147 & 148 OF 2023 (WZ)

1. From the side of applicants, learned counsel Ms. Meenaz Kakalia has appeared, who submits that she has been engaged newly to represent the applicants in these matters and would be filing her Vakalatnama within a week. She prays that some time may be allowed to go through the entire record. We grant her two weeks' time for the same.

2. The earlier order sheet would reflect that this is an initial stage of this case, as the service of notice has not been effected upon all the other Respondents. We direct learned counsel for the applicants to place on record the service affidavit as well.

3. Previously, a submission was made by the applicants that they would be moving an application for transfer of these cases to the Principal Bench of this Tribunal. Now, learned counsel for the applicants submits that the applicants do not want to seek transfer of these cases.

4. From the side of GPCB, learned counsel Ms. Manvi Damle, holding brief of learned counsel Mr. Maulik Nanavati, has appeared. We find that though the GPCB is not a party in these cases, but learned counsel for the GPCB submits that this Tribunal had constituted a Joint Committee vide

order dated 13.02.2024, of which the GPCB is the Nodal Agency, hence an e-mail dated 24.02.2025 has been sent by her, praying therein for re-constitution of the said Committee. When we enquired from her as to why the said Committee is required to be re-constituted, it is submitted that the Members of the said Committee do not contain any local authority, who/which might assist the GPCB to submit the report. Hence, this request is being made. We would like from learned counsel for the applicants to express her view as to whether she has any objection to the said Committee being modified?

5. From the side of Respondent No.1- State of Gujarat, learned counsel Ms. Reshma Mutha, holding brief of learned counsel Mr. Parth Bhatt, has appeared, who submits that this Tribunal by order dated 25.02.2025 in Original Application No.147/2023 (WZ) had directed the Registry that the name of learned counsel Mr. Parth Bhatt be not reflected in the cause list to represent Respondent No.1-MoEF&CC, but the said direction has not been complied with. Therefore, we direct the Registry to comply the said direction and remove his name from the cause-list to represent Respondent No.1-MoEF&CC in Original Application No.147/2023 (WZ). So, it would result in no one representing Respondent No.1-MoEF&CC.

6. We direct the Registry to issue fresh notice to Respondent No.1-MoEF&CC to file their reply affidavit in this matter, returnable within four weeks.

ORIGINAL APPLICATION NO.47 OF 2023 (WZ)

7. From the side of Respondent No.7- GPCB, learned counsel Mr. Aravindakshan V. Nair has appeared, who submits that in compliance with our previous order dated 26.11.2024 in para no.6, he could not file

reply giving therein clarification, which was directed to be submitted, and seeks four weeks' time to file the same. We grant him the said time.

8. By our previous order dated 26.11.2024 in para no.7, we had also directed the Registry to write a letter to Respondent Nos.1 to 6, directing them to appoint/engage somebody to represent them before us on the next date and file their written replies in this matter. The said direction has been complied with by the Registry. But even then, none has appeared from the side of these Respondents. Therefore, we direct the learned Registrar of this Tribunal to write a letter to the learned Chief Secretary, Government of Gujarat, requesting therein to direct Respondent Nos.1 to 6 to ensure presence of someone from their side before this Tribunal on the next date positively and file their reply affidavits in this matter within two weeks.

9. We direct the Registry to list these matters along-with Execution Application No.14 of 2023 (WZ) for further consideration on 01.09.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

June 26, 2025

ORIGINAL APPLICATION NOS.147 & 148 OF 2023 (WZ)

With ORIGINAL APPLICATION NO.47 OF 2023 (WZ)

P.Kr