

Item No.10

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Appeal No.08/2023(WZ)

Thomas Fernandes & Anr.

.....Appellant(s)

Versus

The Goa Coastal Zone Management Authority & Ors.

....Respondent(s)

Date of hearing: 01.12.2023

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

Appellant : Mr. Shivshankar Swaminathan, Advocate
Respondent(s) : Ms. Supriya Dangare, Advocate for R-1/GCZMA &
R-2/State of Goa
Mr. Aagney Sail, Advocate for R-3 & 9

ORDER

1. From the side of appellants, learned counsel Mr. Shivshankar Swaminathan has appeared.

2. From the side of respondent No.1/GCZMA and for respondent No.2/State of Goa, learned counsel Ms. Supriya Dangare has appeared, who apprised us that she has already filed reply affidavit on behalf of respondent No.1.

3. From the side of respondent No.3/Jaiprakash Sirsaikar, learned counsel Mr. Aagney Sail has appeared, who apprised us that reply affidavit has already been filed.

4. As regards respondent No.4/Goa Paryavaran Savrakshan Sangharsh Samitee, learned counsel for appellants submits that in compliance with this Tribunal's previous order dated 29.09.2023, he tried

to serve the Notice upon the respondent No.4 Dasti by approaching its residential address but the door was found locked. When we made a query from the learned counsel for appellants as to whether the respondent No.4 is residing at the same address or place of work is still the same, he submits that it is the correct address. But we would like to file him an affidavit to that effect. The learned counsel for appellants prays that a substituted service may be ordered by effecting of service through publication in local newspaper circulated in the area. We grant the request made by the learned counsel for appellants, subject to the condition of filing an affidavit that the address of respondent No.4 is correct, which would be filed within a week from now. Steps shall be taken within one week thereafter for substituting service through publication.

5. Registry is directed to issue Notice to the respondent No.4 for substituted service.

6. Interim relief granted earlier shall continue till the next date.

7. Registry is directed to put up this matter for further consideration on 20.02.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 01, 2023
Appeal No.08/2023(WZ)
P.Kr