

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Appeal No.27/2023 (WZ)

Spacebound Web Labs Pvt. Ltd. through its Authorized Officer
.....Appellant
Versus

Goa State Pollution Control Board through Member Secretary
.....Respondent

Date of hearing: 05.02.2024

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

Appellant : Shri Nitin Sardessai, Senior Advocate along-with
Mr. Nikhil D. Pai, Advocate
Respondent : Mr. Pavithran A.V., Advocate for R-GSPCB

ORDER

1. From the side of appellant, learned Senior Counsel Mr. Nitin Sardessai along-with learned counsel Mr. Nikhil D. Pai have appeared.
2. From the side of Respondent-GSPCB, learned counsel Mr. Pavithran A.V. has appeared, who has raised objection for admitting this appeal on the ground that there is no provision under Section 16 of the National Green Tribunal Act, 2010, which are reproduced by him in the preliminary reply/objection dated 16.01.2024 from Clause (a) to (j) and submits that in none of these provisions, the kind of order, which has been passed by the GSPCB, would fall. Therefore, appeal would not lie.
3. When we enquired from the learned counsel for Respondent-GSPCB as to under which provision this order has been passed, he submits that there is no specific provision for forfeiting such kind of security deposit amount.

4. Finding it to be an order passed by the authority i.e. GSPCB, we hold that the appellant would have remedy only under Section 16 of the National Green Tribunal Act, 2010 by filing an appeal against the said order passed by the authority. Therefore, we direct the Registry to admit this appeal.

5. The learned counsel for Respondent-GSPCB prays for three weeks' time to file full-fledged reply, the same is allowed.

Put up this matter for further consideration on 28.02.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

February 05, 2024
Appeal No.27/2023 (WZ)
P.Kr