

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**I.A. No.184/2023(WZ)
IN
Appeal No.27/2023(WZ)**

Spacebound Web Labs Pvt. Ltd. Thr. its Authorized Officer

.....Appellant

Versus

Goa State Pollution Control Board through Member Secretary

....Respondent

Date of hearing: 20.10.2023

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

Appellant : Mr. Nikhil D. Pai, Advocate along-with
Ms. Savitha Radhakrishnan, Advocate

Respondent : Mr. Pavithran A.V., Advocate for R-GSPCB

ORDER

1. From the side of appellant, learned counsel Mr. Nikhil D. Pai has appeared.

2. From the side of sole respondent-GSPCB, learned counsel Mr. Pavithran A.V. has appeared, who has filed reply affidavit dated 20.10.2023 against the delay condonation application filed by the appellant, a copy of which is said to have been served upon the learned counsel for appellant, who is seeking some time to file rejoinder to the same.

3. The learned counsel for respondent-GSPCB has drawn our attention to the e-mails dated 06.04.2023, annexed at page nos.256-257 of the paper book, which are sent to one Mr. Karan Singh and the other to Mr. Mayank Manek. It is further stated by him that Mr. Karan Singh is one of the Directors of the appellants' Company and the e-mail of Mr. Mayank Manek i.e. legal@bookmyshow.com is the e-mail, which has been

provided by the appellant's company i.e. Spacebound Web Labs Pvt. Ltd., which is also substantiated from the document annexed at page nos.275 to 278 of the paper book, which is a Preliminary reply to Show Cause Notice given by the appellant to the Member Secretary of State Pollution Control Board. The other e-mail, which has been sent to Mr. Karan Singh- one of the Directors, is given karan.singh@sunburn.in. But the learned counsel for the appellant submits that he is not sure whether the said e-mail address is correct one and would have to verify about this. If these e-mail addresses are found to be correct and belonging to the appellant, it will be treated that the impugned order had been communicated to the appellant on 06.02.2023 and if 90 days' period is being computed, the same would expire on 05.07.2023, while this appeal has been preferred on 17.07.2023 and the same would stand time barred.

4. Since the learned counsel for appellant seeks some time to file rejoinder affidavit against the reply affidavit filed by the respondent-GSPCB, we allow two weeks' time to file the same with the direction that a copy of the same shall be served upon the learned counsel for respondent-GSPCB.

5. Additional affidavit dated 19.10.2023 has also been filed by the appellant, a copy of which is said to have been served upon the learned counsel for respondent-GSPCB, against which learned counsel for respondent-GSPCB does not want to file any reply.

6. Registry is directed to list this matter for disposal of delay condonation application on 24.11.2023

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

October 20, 2023
I.A. No.184/2023(WZ) IN
Appeal No.27/2023(WZ)
P.Kr