

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

[Through Physical Hearing (with Hybrid Option)]

**INTERLOCUTORY APPLICATION NO.198 OF 2023 (WZ)
IN
ORIGINAL APPLICATION NO.42 OF 2023 (WZ)**

Mrs. Sevana Zemira Jacques Applicant/
Intervenor

In the matter of

Mr. Oswald Fernandes & Ors. Applicants

Versus

The GCZMA, through its
Member Secretary & Ors. Respondents

Date of hearing : 15.09.2023

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

Applicant/Intervenor : Mr. Shivan Desai, Advocate along with
Mr. Shivshankar Swaminathan, Advocate

Applicants in O.A. : Mr. Nigel Da Costa Frias, Advocate

Respondents : Ms. Supriya Dangare, Advocate for R-1-GCZMA
Mr. Pushkal Mishra, Advocate for R-2

ORDER

1. From the side of intervenor – Mrs. Sevana Zemira Jacques, this application has been filed for her impleadment as one of the respondents in the Original Application stating that whatever order would be passed in this matter is going to impact on her adversely. The learned counsel for the intervenor has drawn our attention to page 146 of the paper-book, which is Form I & XIV (ownership record), wherein at serial No.2 in column of the name of the occupant, name of the intervenor is written and Survey number recorded is 150 and sub-division 1, which is the property involved in the present Original Application.

2. The learned counsel for the applicant in Original Application does not have any objection to the impleadment of the intervenor. We, therefore, allow this application (I.A. No.198/2023) and direct the applicant to implead the intervenor – Mrs. Sevana Zemira Jacques as respondent No.5 in the Original Application and file the amended memo of Original Application on record. I.A. No.198/2023 is disposed of accordingly.

3. We direct the learned counsel for the applicant to provide copy of the amended Original Application to the learned counsel for the intervenor today only by e-mail and thereafter within four weeks, reply-affidavit shall be filed by the newly impleaded respondent No.5.

4. The service affidavit has been filed by the learned counsel for the applicant today, which is taken on record, as per which the service on all the respondents is sufficient.

5. From the side of respondent No.1 – GCZMA, learned counsel Ms. Supriya Dangare has appeared and prays for four weeks' time to file the reply affidavit. The same is allowed.

6. From the side of respondent No.2 – MoEF&CC, learned counsel Mr. Pushkal Mishra has appeared and seeks four weeks' time to file the reply. The same is allowed.

7. From the side of respondent No. 3 – National Centre for Sustainable Coastal Management and respondent No.4 – Executive Engineer, none has appeared despite sufficient service.

8. Put up this matter (O.A. No.42/2023) for next consideration on 08.12.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 15, 2023
I.A. No.198/2023(WZ)