

Mentioned matter

(Pune Bench)

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

(By Video Conferencing)

Original Application No. 70/2022 (WZ)
[I.A. No. 202/2022 & I.A. No. 203/2022]

Chandan Suryakant Khorjuvekar

.....Applicant

Versus

Goa Coastal Zone Management Authority & Ors.

....Respondent(s)

Date of hearing: 23.12.2022

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

Applicant : Mr. Aagney Sail, Advocate

ORDER

1. From the side of Applicant, learned Counsel Mr. Aagney Sail has mentioned before us today that I.A. No. 202/2022 (WZ) and I.A. No. 203/2022 (WZ) filed in Original Application No. 70/2022 (WZ), should be taken up today as that would save time of this Tribunal in disposing of the mentioned case. Further, it is pressed by him that these applications have been moved by him in pursuance to the order of this Tribunal.

I.A. No. 202/2022 (WZ)

2. By this I.A., prayer is made by the Applicant that Respondent No. 1 be directed to bring on record all the photographs which have been taken by the Expert Member of GCZMA from his mobile phone during the inspection of Survey No. 211/2-A of Village Ashwem, Mandrem, carried out on 27.08.2022. In this regard, he has drawn our attention to para no. 2.7 of rejoinder to the reply affidavit dated 18.10.2022 filed by

Respondent No.1, where-in it is stated by him that the Expert Member had taken photographs of every cottage and other structures using his mobile phone. It is argued by him that this Rejoinder has not been rebutted from the side of Respondent No. 1. Therefore, it is apparent that these photographs were taken by the Expert Member. Hence, the prayer has been made.

3. It is deemed appropriate by us to grant opportunity to the Respondent No. 1 to file objection, if any, against this I.A. by the next date.

Put up this I.A. for disposal on 06.01.2023

I.A. No. 203/2022 (WZ)

4. By this I.A., the learned Counsel for the Applicant has prayed that Mr. Satyam Thakral should be impleaded as Respondent No. 7 and Mr. Rajendra Kumar Kamra be impleaded as Respondent No. 8 and further Respondent No. 1 be directed to conduct a site inspection of the property of Mr. Rajendra Kumar Kamra in Survey No. 211-2A (i.e. Plot M-L, Plot 23 and Plot 24) and submit inspection report before the Tribunal.

5. The learned Counsel for the Applicant has drawn our attention to the order of this Tribunal dated 21.11.2022, in pursuance of which, this application has been moved and has also drawn our attention to our earlier order dated 18.11.2022, directing Mr. Satyam Thakral to be impleaded as Respondent No. 7.

6. We find that partly this application is in compliance with our order, as regards impleadment of Mr. Satyam Thakral as Respondent No. 7, though regarding Mr. Rajendra Kumar Kamra to be impleaded as Respondent No. 8, there is no direction from us but it is stated that he

has also raised construction in the property in question. Therefore, we deem it proper to allow this application as regards impleading Mr. Satyam Thakral and Mr. Rajendra Kumar Kamra as Respondent Nos. 7 & 8 respectively. Let the amendment be carried out during the course of the day and an amended memo of O.A. be filed on record.

7. Further, we direct the Respondent No. 1 to conduct inspection of the property of newly impleaded Respondent No. 8- Mr. Rajendra Kumar Kamra regarding construction raised by him over the property in question, after giving notice to him regarding the date on which the inspection would be done and submit its report within a period of 15 days.

Accordingly, I.A. No. 203/2022 (WZ) stands disposed of.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 23, 2022
Original Application No. 70/2022 (WZ)
[I.A. No. 202/2022 & I.A. No. 203/2022]
P.Kr