

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

(By Video Conferencing)

ORIGINAL APPLICATION NO.07 OF 2022 (WZ)

Shashikant Vitthal Kamble

.....Applicant

Versus

Ministry of Environment and Forest
And Climate Change (MOEF & CC) and others

....Respondents

Date of hearing: 27.09.2022

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

Applicant : Mr. Viraj Pawar, Advocate

Respondent : Mr. Rahul Garg, Advocate for R-1 and R-3
Mr. Aniruddha Kulkarni, Advocate for R-4, R-5 and R-6
Mr. Yashwant Dhanegave, Advocate for R-7
Ms. Manasi Joshi, Advocate for R-8 and R-9
Mr. Anil Patil, Advocate for R-12
Mr. R. Mahabal, Advocate for R-13

ORDER

1. From the side of the applicant, learned counsel Mr. Viraj Pawar is present.
2. From the side of respondent No.1, learned counsel Mr. Rahul Garg has appeared and states that he has not filed reply-affidavit on behalf of respondent No.1/MoEF & CC because it is a formal party.
3. From the side of respondent No.2/CGWA, none has appeared despite service. Hence, the proceeding would go ahead exparte against respondent No.2.
4. From the side of respondent No.3/CPCB, learned counsel Mr. Rahul Garg has appeared and submits that he has filed reply-affidavit.

5. From the side of respondent No. 4/Environment Department, respondent No. 5/SEIAA and respondent No.6/SEAC, learned counsel Mr. Aniruddha Kulkarni has appeared and appraised us that he has not received copy of the Original Application as well as the copy of the Joint Committee report. The learned counsel for the M.P.C.B. is directed to serve a copy of the Joint Committee report to the learned counsel for respondent Nos.4, 5 and 6 and a copy of the Original Application also be served today itself to him by the applicant and thereafter, three weeks' time is allowed to file reply-affidavit.

6. From the side of respondent No.7/SGWA, learned counsel Yashwant Dhanegave has appeared and submits that he has filed reply-affidavit.

7. From the side of respondent Nos.8 and 9/MPCB, learned counsel Ms. Manasi Joshi has appeared and appraised us that Joint Committee report has been filed but reply-affidavit has not been filed and to file the same, she seeks time of two weeks. The same is allowed.

8. From the side of respondent Nos. 10/DEIAA and respondent No.11/Commissioner, Land and Records, none has appeared despite service. Hence, the proceeding would go ahead exparte against these respondents.

9. From the side of respondent No.12, learned counsel Mr. Anil Patil has appeared and appraised us that he has not received the copy of the Original Application. The learned counsel for the applicant is directed to serve a copy of the Original Application to him today itself and thereafter, within three weeks, he will file the reply-affidavit.

10. From the side of respondent No.13, learned counsel Mr. R. Mahabal has appeared and submits that he has already filed reply-affidavit. He further appraised us that the application for amendment of

E.C. filed by respondent No.13 is pending with the SEIAA for last two and half years and it is not being decided only because present Original Application is pending. We direct that since there is no stay order passed in this matter, SEIAA is at liberty to decide the application filed by respondent No.13 at the earliest as per rules.

11. Put up this matter for final hearing on 21.11.2022 and in the meantime, all the parties shall exchange the pleadings amongst themselves so that no further adjournment would be required to be granted.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 27, 2022
Appeal No. 07 of 2022
npj