

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No. 12/2023 (WZ)

Anil A. Masurkar

.....Applicant

Versus

Union of India through Secretary MoEF&CC & Ors.

....Respondent(s)

Date of hearing: 03.07.2023

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

Applicant : Mr. Omkar Ajit Keni, Advocate
Respondent(s) : Mr. Raghvendra Kulkarni, Advocate h/f Mr. Rahul Garg,
Advocate for R-1/MoEF&CC
Ms. Srushti Thorat, Advocate h/f Mr. Saket Mone, Advocate
for R-3/MMB
Mr. Vijay Kumar Salve, District Mining Officer, Sindhudurg,
for R-4 & 5
Tahsildar, Malvan, in-person for R-7

ORDER

1. From the side of applicant, learned Counsel Mr. Omkar Ajit Keni has appeared.

2. From the side of respondent No. 1/MoEF&CC, learned Counsel Mr. Raghvendra Kulkarni holding brief of learned Counsel Mr. Rahul Garg has appeared, who apprised us that he has not been provided a copy of original application, though the same is being disputed by the learned Counsel for the applicant. But in the interest of justice, we direct the learned Counsel for the applicant to serve a copy of original application upon the learned Counsel for the respondent No. 1 through e-mail positively and within two weeks thereafter, he may file reply affidavit with

the direction that a copy of the same shall be served upon the learned Counsel for the other parties in advance.

3. None has appeared from the side of respondent No. 2/State of Maharashtra through Chief Secretary, respondent No. 6/Sub-Divisional Officer: Kudal and respondent No. 8/Geologist, Groundwater Survey and Development Agency, Pune despite sufficient service.

4. From the side of respondent No. 3/Maharashtra Maritime Board, learned Counsel Ms. Srushti Thorat holding brief of learned Counsel Mr. Saket Mone has appeared, who apprised us that she has not received the rejoinder affidavit filed by the applicant, therefore, we direct the learned Counsel for the applicant to serve a copy of the same upon the learned Counsel for the respondent No. 3 today itself.

5. From the side of respondent No. 4/District Collector, Sindhudurg and for Respondent No. 5/District Mining Officer, Sindhudurg, Mr. Vijay Kumar Salve, District Mining Officer, Sindhudurg has appeared, who apprised us that reply affidavit has already been filed.

6. From the side of respondent No. 7/Tahsildar of Malvan, Officer himself is present, though she has not filed any reply affidavit. She is granted two weeks' time to file the same by way of last opportunity.

Put up this matter for final hearing on 01.09.2023

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 03, 2023
Original Application No. 12/2023 (WZ)
P.Kr