

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

ORIGINAL APPLICATION NO.14 OF 2023 (WZ)

Vanashakti & Anr.

.... Applicants

Versus

Chief Coservator of Forests, Thane & Ors.

....Respondents

Date of Hearing : 05.07.2023

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

Applicants : Mr. Zaman Ali, Advocate

Respondents : Mr. Santosh Saste, Dy. Conservator of Forest
for R-1
Mr. Vishal Indulkar, Nayab Tahsildar for R-2
Mr. Saket Mone, Advocate representing M/s Vidhi
Partners for R-4
Ms. Namrata Bobade, Advocate for R-5
Mr. Aniruddha Kulkarni, Standing Advocate
for SEIAA

ORDER

1. From the side of the applicant, learned counsel Mr. Zaman Ali has appeared and states that he has not been served copy of the Joint Committee report, which has been filed on record.

2. We find from the record that the Joint Committee report is signed by only the Chief Conservator of Forests (T), Thane and Sub-Divisional Officer, Bhiwandi, District Thane, but not by the Member Secretary, SEIAA, despite the fact that the Joint Committee was constituted of which SEIAA was a member. Mr. Santosh Saste, Deputy Conservator of Forest is present today, representing respondent No.1 – Chief Conservator of Forests, Thane, who states that proper communication was made to the Member Secretary, SEIAA to accompany them at the time of visit to the site in question but none has appeared. Hence

respondent No.1 proceeded to visit the site. He states that copy of the letter making communication to the Member Secretary, SEIAA, would be sent by him. The said letter shall be sent to us through e-mail forthwith.

3. In view of the above, we direct the Registrar to issue show-cause notice to the Member Secretary, SEIAA as to why he did not appear at the time of inspection/visit to the site, nor did he indicate any reason/s for not appearing.

4. We direct the Registrar to communicate to the Member Secretary, SEIAA as to whether he is in agreement with the Joint Committee report submitted by the nodal agency i.e. Chief Conservator of Forest, Thane.

5. Mr. Aniruddha Kulkarni, learned standing counsel for SEIAA, Maharashtra submits that he would seek instructions in this matter and place response on the next date positively.

6. From the side of respondent No.4 – MMRDA, learned counsel Mr. Saket Mone has appeared and states that he has filed the reply, copy of which has been served to the applicants who may file rejoinder before the next date.

7. From the side of respondent No. 5 – Vajreshwari Shikshan Prasarak Mandal, learned counsel Ms. Namrata Bobade has appeared and states that she has also not received copy of the reply filed by respondent No.4. We direct learned counsel Mr. Saket Mone to serve copy of the said reply to learned counsel for respondent No.5 today itself, who shall file rejoinder, if any, within a week.

8. Put up this matter for next consideration on 24.08.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 05, 2023
O.A. NO.14/2023 (WZ)