

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

[Through Physical Hearing (With Hybrid Option)]

ORIGINAL APPLICATION NO.28 OF 2023 (WZ)

Santosh Daundkar Applicant

Versus

SEIAA, Env't. Deptt., Govt. of Maharashtra & Ors.Respondents

Date of hearing: 09.01.2024

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

Applicant : Mr. Aditya Pratap, Advocate

Respondents : Mr. Aniruddha Kulkarni, Advocate for R-1
Mr. Shivshankar Swaminathan, Advocate along with
Ms. Saakshi Saboo, Advocate for R-4 and R-10
Mr. Saket Mone, Advocate for R-7
Mr. Siddharth Yadav and Mr. Pheroze Mehta, Advocates,
representing Wadia Ghandy & Co., for R-12
Mr. Pankaj Rajmachikar, Advocate along with Ms. Vaidehi
Odnekar, Advocate for R-13

ORDER

1. From the side of the applicant, learned counsel Mr. Aditya Pratap has appeared, who has not filed the service affidavit despite having been informed by the Registry. He submits that he has already served all the respondents by e-mail. We do not find the service to this effect in accordance with law because the applicant was required to effect service upon the respondents by registered post and besides that, if he wants to issue notice to the respondents through e-mail or other mode, he could have done so. Therefore, we direct him to effect the service on the respondents, who are not present today, returnable within four weeks from today.

2. The applicant is directed to provide copies of the memo of Original Application and annexures thereto to the respondents, within a week.
3. The applicant is also directed to take necessary steps for service upon the respondents by both ways and also through available e-mail.
4. From the side of respondent No.1 – SEIAA, learned counsel Mr. Aniruddha Kulkarni has appeared and seeks four weeks' time to file the reply-affidavit. The same is allowed.
5. None has appeared from the side of respondent No.2 – Commissioner and respondent No.3 – Tree Officer.
6. From the side of respondent No.4 – Rustomjee Constructions Pvt. Ltd. and respondent No.10 – Godrej Projects Development Ltd., learned counsel Mr. Shivshankar Swaminathan has appeared and seeks time of four weeks to file the reply. The same is allowed.
7. From the side of respondent No. 5 – Techno Freshworld LLP, none has appeared.
8. From the side of respondent No. 6 – Sachiv S. Sahni, none has appeared.
9. From the side of respondent No.7 – Money Magnum Nest Pvt. Ltd., learned counsel Mr. Saket Mone has appeared and seeks four weeks' time to file the reply. The same is allowed.
10. From the side of respondent No.8 – Suraj Estate Developers Pvt. Ltd. and respondent No.9 – Satra Property Developers Pvt. Ltd., none has appeared.
11. From the side of respondent No.11 – Whispering Heights Real Estate Pvt. Ltd., none has appeared.
12. From the side of respondent No.12 – Incline Realty Pvt. Ltd., learned counsel Mr. Siddharth Yadav has appeared and seeks four weeks' time to file the reply. The same is allowed.

13. From the side of respondent No.13 – MIG Realtors & Builders Pvt. Ltd., learned counsel Mr. Pankaj Rajmachikar has appeared and states that his reply is ready but could not be filed as name of respondent No.13 is not shown on the portal of NGT. We are informed that the applicant as well as the Registry are competent to implead the name of the Advocate or the party in portal. Therefore, the Registry is directed to implead/include the name of respondent No.13 on the portal. The learned counsel for respondent No.13 shall file the reply upon the name of respondent No.13 being included/shown on the portal, with a direction that a copy of the said reply shall be served on all other parties who may file their rejoinder/reply within two weeks thereafter.

14. From the side of respondent No.14 – K. Raheja Pvt. Ltd., none has appeared.

15. At the request of the learned counsel for the applicant, he is permitted to correct the address of respondent No.7 as he admits that there is an error in the address of respondent No.7, which needs to be corrected, although from the side of respondent No.7, learned counsel Mr. Saket Mone has appeared. We direct that the said correction be made within a week from the date of uploading of this order.

16. Put up this matter for next consideration on 05.03.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 9, 2024
ORIGINAL APPLICATION NO.28/2023 (WZ)
npj