

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

[Through Physical Hearing (with Hybrid Option)]

**EXECUTION APPLICATION NO.03 OF 2023 (WS)
IN
ORIGINAL APPLICATION NO.01 OF 2020 (WZ)
WITH
I.A. NOS.42/2023 AND 17/2024, BOTH IN E.A. NO.03/2023 (WZ)**

Razzak Rajmohammad Baig & Ors.

... **Applicants**

Versus

The District Collector, Ahmednagar & Ors.

... **Respondents**

Date of Hearing : 21.04.2025

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

Applicant : Mr. K.B. Katake, Advocate

Respondents : Mr. Aniruddha Kulkarni, Advocate for R-7 and R-8
Mr. Saurabh Kulkarni, Advocate for R-12

ORDER

1. From the side of the applicants, an application i.e. I.A. No.17 of 2024 has been filed, claiming an amount of Rs.14,55,000 by way of personal compensation to be paid to the applicants from respondent No.12 – Balasaheb Janardhan Murdare. Against this application, respondent No.12 has filed objection by way of an affidavit-in-reply dated 25.04.2024, wherein it is submitted that the bills, which have been submitted by the applicants to demonstrate that the crops sold by them in the market, were forged documents, because respondent No. 12 approached one Mr. Mahesh Hastimal Gandhi, whose bills were produced by the applicants in support of the present application and said Mr. Gandhi has, on affidavit, stated that the said bills are fake. Similarly, respondent No.12 also approached the Agricultural Produce Market Committee (APMC), Ahmednagar for verification of the bills produced by the applicants and

the said APMC has also stated that those bills were never brought to them. Therefore, the applicants have based their claim on completely fake documents. A copy of the said reply has been stated to have been served on the applicants.

2. Learned counsel Mr. K.B. Katake, representing the applicant namely Razzak Rajmohammed Baig, states that another counsel Mr. Prashant Nawale would be arguing in this case, who is not present today. He, therefore, seeks time to file rejoinder to the reply filed by respondent No.12 to I.A. o.17/2024. We grant him a week's time from the date of uploading of this order for filing the rejoinder.

3. Learned counsel Mr. Kulkarni for respondent No.12 has also made it clear that the amount of EDC was calculated to the tune of Rs.29,62,500/-, against which an appeal being Civil Appeal Diary No.2115 of 2024 (Balasaheb Janardhan Murdare Vs. The District Collector, Ahmednagar & Ors.) has been preferred before the Hon'ble Supreme Court of India, wherein the Hon'ble Supreme Court has passed an order on 02.02.2024 that "no coercive action shall be taken against the appellant (present respondent No.12) for recovery of the compensation amount subject to the appellant depositing a sum of Rs.5 lakhs with the Registry of the Hon'ble Supreme Court within a period of one month from the date of said order". The said appeal is pending before the Hon'ble Supreme Court.

4. We direct the Registry to place this matter for next consideration on 21.07.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 21, 2025
EXECUTION APPLICATION NO.03 OF 2023 (WZ)
npj