

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.52/2023(WZ)
I.A. No.39/2024(WZ)**

Krunnal Narayan Gharre

.....Applicant

Versus

Pune Municipal Corporation & Ors.

....Respondent(s)

Date of hearing: 21.05.2024

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

Applicant : Applicant in-person
Respondent(s) : Mr. Mayur Ovhal, Advocate h/f
Mr. Rahul Garg, Advocate for R-1 & 2/PMC & R-5
Ms. Manasi Joshi, Advocate for R-3/MPCB
Mr. Prithpalsingh Nahal, Advocate for R-6 to 8

ORDER

1. From the side of applicant, applicant has appeared in-person before us.
2. In compliance with our previous order dated 15.03.2024 in para no.15, applicant has filed an amended application, which is annexed at page nos.325 to 340 of the paper book, wherein Prayers- O to Q are the amended prayers.
3. Simultaneously, it is also brought to our notice by the applicant as well as learned counsel for respondent No.3- MPCB that Prayers O to Q stand decided because the Hon'ble Principal Bench of this Tribunal by order dated 05.04.2024 passed in Original Application No.323/2024 had already taken *suo moto* cognizance and passed following order:-

“9. Hence, we dispose of the OA directing the CPCB to do the needful to ascertain the feasibility of use of Draynzyme on water hyacinth/natural water bodies and submit a report before the Registrar of the Western Zonal Bench of the Tribunal within four months. If found necessary the matter will be listed for consideration before the Western Zonal Bench, Pune. Let the original record of this OA be transferred to the Western Zonal Bench, Pune.”

4. In the light of above-mentioned order, applicant prays before us that he may be provided a copy of the report to be filed by the CPCB with the Registry of this Tribunal, as and when, the same is received. We allow his request and direct the Registry that when the said report is received, a copy of the same shall be served upon the applicant through e-mail.

5. Applicant further submits that the other prayers of the present Original Application i.e. Prayers- A to N are maintainable, regarding which notices have already been issued.

6. From the side of respondent Nos.1 & 2-PMC and for respondent No.5-Bavdhan Budruk Gram Panchayat, learned counsel Mr. Mayur Ovhal holding brief of learned counsel Mr. Rahul Garg has appeared, who submits that reply affidavit has already been filed.

7. From the side of respondent No.3-MPCB, learned counsel Ms. Manasi Joshi has appeared, who submits that no reply affidavit is required to be filed from their side as she is relying upon the Joint Committee Report.

8. None has appeared from the side of respondent No.4-PMRDA, although we find that reply affidavit has already been filed.

9. From the side of respondent No.5- Bavdhan Budruk Gram Panchayat; for respondent No.6- Zilla Parishad, Pune; for respondent No.7- Bhugaon Gram Panchayat; and for respondent No.8- Bhukum Gram Panchayat, learned counsel Mr. Prithpalsingh Nahal has appeared,

who submits that he would be filing hard copy of the reply affidavit today itself before this Tribunal, as the same was not possible to be e-filed due to some technical fault. We direct him to e-file the same also as soon as the fault is solved.

Put up this matter for further consideration on 28.08.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

May 21, 2024
Original Application No.52/2023(WZ)
I.A. No.39/2024(WZ)
P.Kr