

Item No.1

(Pune Bench)

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**CAVEAT APPLICATION NO. 03 OF 2023 (WZ)
IN
APPEAL NO.24 OF 2023 (WZ)**

Suhas Rao Rane

.... Applicant

Versus

MoEF&CC & Ors.

....Respondents

Date of Hearing : 11.07.2023

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

Applicant : ----

Respondents : Mr. Sanjay Upadhyay, Advocate for Caveator
(respondent No.5)
Mr. Rahul Kothari, Advocate for R-8

ORDER

1. None has appeared, on call, from the side of the appellant today.
2. From the side of respondent No. 5 – Dr. Farrokh Wadia, learned counsel Mr. Sanjay Upadhyay has appeared, who has also filed a caveat and says that this appeal is against the Environmental Clearance dated 29.08.2022, which is annexed at page 119 of the paper-book and that the appeal against it is exceedingly time-barred and as per the office report, there is no I.A. moved by the appellant seeking condonation of delay
3. From the side of respondent No. 8, learned counsel Mr. Rahul Kothari has appeared saying that probably name of respondent No.8 “Brookfields Properties Pvt.Ltd.” is being wrongly shown as the correct respondent No.8 should be “Witwicky One Pvt. Ltd.”

4. Since today the appellant is not appearing, it is considered appropriate by us to defer this matter day-after-tomorrow i.e. 13.07.2023 in the interest of justice.

5. We find that the Registry has shown Caveat Application No.03/2023 as the main application to be taken up today filed in Appeal No.24/2023, which is wrong approach because the appeal should have been listed for admission showing that the caveat application is also filed. Therefore, we direct the Registry to be careful in future in this regard.

6. Learned counsel Mr. Sanjay Upadhyay has brought to our notice that this is 4th litigation initiated by the appellant malafidely, who is sitting in Mumbai.

7. Put up this matter on 13.07.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 11, 2023
CAVEAT APPLICATION NO.03/2023(WZ)
npj