

Item No.2

(Pune Bench)

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**ORIGINAL APPLICATION NO.80 OF 2023 (WZ)**

SaRANG Yadwadkar & Anr.

.... Applicants

Versus

PMC & Ors.

.... Respondents

Date of Hearing : 31.07.2023

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

Applicant : Mr. Ritwick Dutta, Advocate

Respondents : Mr. Rahul Garg, Advocate along with  
Mr. Raghvendra Kulkarni, Advocate for  
R-1 and R-5  
Mr. R.B. Mahabal, Advocate along with  
Mr. Anirudha Kulkarni, Advocate for R-2

**ORDER**

1. From the side of respondent No.1 – PMC and respondent No. 5 – MoEF&CC, learned counsel Mr. Rahul Garg has appeared and states that the reply-affidavit has been filed on behalf of respondent No.1 – PMC, wherein it is submitted that no trees will be felled without obtaining necessary permission of the Competent Authority (in this case, Tree Authority of the State of Maharashtra). It is further stated in this affidavit that the answering respondent has applied for amendment in Environmental Clearance for the project, which is under consideration before SEAC-III and soon the decision would be taken. Learned counsel Mr. Rahul Garg has assured in open court before us that till the same is considered, which also takes into consideration the issue of further felling of trees, no trees would be felled by respondent No.1 – PMC.

2. From the side of respondent No.2 – SEIAA, Maharashtra, learned counsel Mr. R.B. Mahabal and learned counsel Mr. Anirudha Kulkarni have appeared and orally apprised us that the application for amendment in the EC has already been moved by respondent No.1 – PMC before them, which is under consideration and therefore, the present Original Application is premature.

3. We dispose of this Original Application with the direction that till respondent No.2 SEIAA decides as to whether the amendment in Environmental Clearance is to be allowed, no trees would be felled by respondent No.1 – PMC.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 31, 2023  
O.A. No.80 OF 2023 (WZ)  
npj