

Item No.4

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Execution Application No. 09/2023(WZ)
Earlier Original Application No. 71/2023(WZ)

Arvind Manohar Mahajan & Ors.

.....Applicant(s)

Versus

M/s. Benzo Chem. Industries Pvt. Ltd. & Ors.

....Respondent(s)

Date of hearing: 07.08.2023

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

Applicant	:	None appeared
Respondent(s)	:	Mr. Saurabh Kulkarni, Advocate along-with Mr. Waseem Pangaukar, Advocate, Mr. Nadiya, Advocate and Mr. David, Advocate i/b NZM Legal for R-1 Ms. Manasi Joshi, Advocate along-with Ms. Pooja Natu, Advocate for R-2/MPCB

ORDER

1. None has appeared from the side of applicants.
2. From the side of respondent No.1/Project Proponent, learned Counsel Mr. Saurabh Kulkarni has appeared, who has filed reply affidavit dated 03.08.2023, where-with he has annexed a copy of order passed by the Hon'ble Supreme Court at page nos. 356 to 357 of the paper book, which shows that the Hon'ble Supreme Court has admitted *Civil Appeal Diary No. 39320 of 2022*, which has arisen out of the impugned order dated 29.08.2022 passed by this Tribunal in Original Application No.124/2017 and has directed that the operation of the impugned Judgment and order passed by this Tribunal shall remain stayed.

3. In view of above order of Hon'ble Supreme Court, we cannot proceed with the hearing of this execution application. Accordingly, we direct the Registry to place this matter for further hearing only after the final Order/Judgment passed by the Hon'ble Supreme Court.

4. From the side of respondent No.2/MPCB, learned Counsel Ms. Manasi Joshi has appeared.

5. None has appeared from the side of respondent No.3/MIDC and respondent No.4/Joint Director of Industrial Safety and Health, Akola.

6. In compliance with our previous order, the learned Counsel for applicants has filed service affidavit, which is taken on record.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

August 07, 2023

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