

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No.121/2023 (WZ)

Lalita Sandip Shinde

.....Applicant

Versus

Chief Executive Officer, Trimbakeshwar Municipal
Council and Ors.

....Respondent(s)

Date of hearing: 10.01.2024

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

Applicant : Mr. Lakshyaved R. Odhekar, Advocate
Respondent(s) : Mr. Rupesh Madhulkar, Advocate for R-1/TMC
Mr. Aniruddha Kulkarni, Advocate for R-3/Env't. Deptt.
Mr. Pushkal Mishra, Advocate for R-8/MoEF&CC

ORDER

1. From the side of applicant, learned counsel Mr. Lakshyaved R. Odhekar has appeared. He has effected service of notice upon all the respondents. But he could not file the service affidavit on record, for which two days' time is prayed to be allowed, the same is allowed. He further submits that the copy of interim report filed by the District Collector, Nashik, which is annexed at page nos.163 to 166 of the paper book, has not been served upon him. Therefore, we direct the Registry to serve a copy of the same upon the learned counsel for applicant through e-mail today itself and objections against the same, if any, may be filed within two weeks thereafter.

2. From the side of respondent No.1/Trimbakeshwar Municipal Council, learned counsel Mr. Rupesh Madhulkar has appeared, who seeks four weeks' time to file reply affidavit, the same is allowed.

3. None has appeared from the side of respondent Nos.2, 4 to 7. But we are not holding service sufficient for want of service affidavit on record.

4. From the side of respondent No.3/Principal Secretary, Environment Department, Government of Maharashtra, learned counsel Mr. Aniruddha Kulkarni has appeared, who seeks four weeks' time to file reply affidavit, the same is allowed.

5. From the side of respondent No.8/MoEF&CC, learned counsel Mr. Pushkal Mishra has appeared through Video Conferencing. But he is not audible. We grant him four weeks' time to file reply affidavit.

6. We find from the interim report dated 08.01.2024 of the District Collector, Nashik that he has sought two months' further time, in order to make in-depth enquiry and put up facts and details before this Tribunal. In this report, the details with respect to construction on Gat Nos.337, 338, 343/1 & 351/1 are given and not of all other Survey Numbers, which are mentioned at page no.11 of the main application.

7. We find from this interim report that during the inspection made by the Joint Committee, the applicant was all along with them. We failed to understand as to why the said Committee Members had not taken into consideration the other Survey Numbers, which have been mentioned by the applicant in his application. In this regard, when we made a query from the learned counsel for applicant, he submits that the Committee Members stated that they want additional time to visit the other sites and also expressed that they would not take into consideration the other illegal

activities, which are going on in these Survey Numbers, except the construction activities because of there being of order to that effect by this Tribunal.

8. We would like a detailed report from the Joint Committee, if any illegal activity is going on, even that may be taken into consideration by them and full-fledged report shall be submitted by the Joint Committee within a period of two months from today.

Put up this matter on 03.04.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 10, 2024
Original Application No.121/2023 (WZ)
P.Kr