

Item No.4

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.102/2023(WZ)
I.A. No.166/2023(WZ) & I.A. No.170/2023(WZ)**

Ashish Prafull Bhopatrao

.....Applicant

Versus

The State of Maharashtra & Ors.

....Respondent(s)

Date of hearing: 21.09.2023

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

Applicant	:	Mr. Ashutosh R. Gole, Advocate along-with Mr. Sandeep S. Patil, Advocate and Mr. Deepak Kumbhar, Advocate
Respondent(s)	:	Mr. Rakesh Agrawal, Advocate for R-1 Mr. Amit Goel, Dy. Controller of Explosive-I for R-4 Ms. Manisha Patil, Law Officer, for R-5 Mr. D.M. Gupte, Advocate for R-8/Forest Deptt.

ORDER

I.A. No.166/2023(WZ)

1. This is an application filed for seeking condonation of delay of 59 days.
2. From the side of applicant, learned Counsel Mr. Ashutosh Gole has appeared, who has filed service affidavit as per which service of notice is effected upon all the respondents/opposite parties.
3. From the side of respondent No.5/The District Magistrate and Collector, District: Palghar, Ms. Manisha Patil, Law Officer has appeared, who apprised us that reply affidavit has already been filed in the main application, the same is taken on record. She also apprised us that a

copy of the same has already been served upon the learned Counsel for applicant, who may file rejoinder affidavit against the same, if any, within one week.

4. From the side of respondent No.8/The Deputy Conservator of Forest- Jawhar, learned Counsel Mr. D.M. Gupte has appeared, who submits that he has not been served a copy of this application. Therefore, we direct the learned Counsel for applicant to provide a copy of the same today itself through e-mail and within two weeks' time, reply affidavit against the delay condonation application shall be filed by the respondent No.8 and he may also file reply affidavit with respect to the main application as well by the same date and a copy of the same shall be served upon the learned Counsel for applicant, who may file objection against the said application, if any, within one day or by the next date.

5. None-else has appeared despite sufficient service. Therefore, we have no option left but to proceed against them *ex-parte*.

6. Registry is directed to put up this matter for disposal of delay condonation application on 10.10.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 21, 2023
Original Application No.102/2023(WZ)
I.A. No.166/2023(WZ) & I.A. No.170/2023(WZ)
P.Kr