

Item No.4

(Pune Bench)

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

[Through Physical Hearing (with Hybrid Option)]

**INTERLOCUTORY APPLICATION NO.160 OF 2023 (WZ)
IN
MISC. APPLICATION NO.09 OF 2023 (WZ)
IN
ORIGINAL APPLICATION NO.78 OF 2020 (WZ)**

Vinod Kashinath Patkar

.... Applicant

Versus

Nilesh Suresh Chavan & Ors.

....Respondents

Date of hearing : 12.09.2023

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

Applicant : Mr. Ashutosh Gole, Advocate

Respondents : Mr. Rakesh K. Agrawal, Advocate for R-1
Mr. Subhash Bhagde, Additional District Magistrate,
representing R-6

ORDER

1. By this application, the applicant has sought condonation of delay of 75 days in moving Misc. Application No.09/2023, whereby order dated 06.04.2023 passed by us in Original Application No.78 of 2020 is prayed to be set aside the same being *exparte* against the applicant.

2. The service affidavit has been filed by the applicant, as per which the service is sufficient on all the respondents. But today, from the side of Opposite Party No.1, learned counsel Mr. Rakesh K. Agrawal has appeared and says that he has been served with the notice of this matter yesterday only. Therefore, he seeks one week's time for filing the reply-affidavit. The same is allowed.

3. From the side of Opposite Party No.6 – District Collector, Palghar, Mr. Subhash Bhagde, Additional District Magistrate has appeared through VC and states that the Government counsel would appear on their behalf in this matter. We provide a week's time for filing the reply-affidavit on behalf of respondent No.6 against the delay condonation application and on the same date, if this Tribunal finds that there is sufficient ground to condone the delay, we direct the learned counsel for the parties to be prepared for hearing on restoration application (M.A. No.09/2023) as well because of the matter being urgent.

4. Put up this matter on 21.09.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 12, 2023
I.A. 160/2023(WZ)
npj