

Item No.03

(Pune Bench)

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

(By Video Conferencing)

Misc. Application No. 13/2022(WZ) in
Original Application No.76/2021 (WZ)

Shashikant Vitthal Kamble

.....Applicant(s)

Versus

MoEF &CC & Ors.

....Respondent(s)

Date of hearing: 30.08.2022

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

Applicant(s) : Mr. Ravi Uikey, Advocate

ORDER

1. This Misc. Application (13/2022) has been moved for restoration of the Original Application No. 76/2021 which was dismissed by us in default vide order dated 12.07.2022.

2. The Learned Counsel for the Applicant has argued that the reason for absence has been indicated in paragraph no. 5 of the application which says that on 11.07.2022, the next date for hearing was fixed to be 30.08.2022 as per cause list but later on the same was preponed by the Bench and fixed the same for 12.07.2022.

3. Therefore, he did not have any knowledge that hearing would be made on 12.07.2022, he could not appear. Hence, the said order should be recalled and he should be given proper opportunity of haring.

4. We have verified the said averments from records and find that there is truth in it and moreover, the restoration application is within time. Thus, M.A. is allowed.

5. The Learned Counsel for the Applicant shall bring on record all the necessary documents in support of their pleading.

6. Therefore, we direct the Registry to restore this Original Application and fix it for admission on 06.09.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

August 30, 2022
Misc. Application No. 13/2022(WZ) in
Original Application No. 76/2021 (WZ)