

Item No.3

(Pune Bench)

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

(By Video Conferencing)

Original Application No.56/2019(WZ)

Mr. Mangesh Mahadev Parab

Applicant(s)

Versus

M/s. New Monarch Builders & Contractors & Ors.

Respondent(s)

Date of hearing: 20.09.2021

**CORAM: HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

Applicant(s) : Mr. Asim Sarode, Advocate

Respondent(s) : Mr. Saket Mone, Advocate for R-1
Mr. Sameer Khale, Advocate for R-5
Mr. R. B. Mahabal, Advocate for R-6

ORDER

1. Heard the submissions of the Learned Counsel appearing for the Original Applicant, Learned Counsel appearing for the Respondent No.1 and the respective Learned Standing Counsels appearing for Respondent Nos. 5 and 6.

2. The Learned Counsel appearing for the Respondent No.1 would submit that the reply affidavit dated 18.02.2020 along with the supporting documents in the form of annexures have been filed and pointed out that the project commenced in 1996 and completion certificates have been issued and the occupancy has also started in the year 2004 and 2005 and in the light of the long passage of time, the present cause of action pleaded by the Original Applicant is not only barred by limitation but it is also hit by laches and the claim has also

became stale and hence, prays for dismissal of the Original Application with the exemplary costs.

3. The respective Learned Standing Counsels appearing for Respondent Nos. 5 and 6 pray for a short accommodation to file the Joint Committee Report.

4. The Registry has also brought to the knowledge of this Tribunal that some affidavits with annexures have been filed and are pending scrutiny.

Call on 15.11.2021.

M. Sathyanarayanan, JM

Dr. Arun Kumar Verma, EM

September 20, 2021
Original Application No.56/2019(WZ)