

Item No.04

(Pune Bench)

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

(By Video Conferencing)

Original Application No.56/2019(WZ)

Mr. Mangesgh Mahadev Parab

.....Applicant(s)

Versus

M/s. New Monarch Builder & Contractor & Ors.

....Respondent(s)

Date of hearing: 23.09.2022

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

Applicant(s) Mr. Asim Sarode, Advocate

Respondent(s) : Mr. Saket Mone, Advocate for R-1
Mr. Aniruddha Kulkarni, Advocate for R-3
: Mr. Sameer Khale, Advocate for R-5
: Mr. R. B. Mahabal with Mr. Sachin Gore, Advocates for R-6
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ORDER

1. From the side of the Applicant Mr. Asim Sarode, Learned Counsel has appeared and states that he has not been provided the copy of the final report of the joint committee filed before us on 14.06.2022. We direct the Nodal Agency i.e. SEIAA to serve copy of the said report upon the Learned Counsel for the Applicant today itself.

2. From the side of the Respondent No. 1/M/s. New Monarch Builders and Contractors, Mr. Saket Mone, Learned Counsel has appeared and states that he has filed his reply affidavit but he has not received the copy of the first interim report. We direct the Learned Counsel for SEIAA to provide a copy of the same to the Learned Counsel for the Respondent No.1 today itself.

3. No one has appeared from the side of Respondent No.2/Chief Secretary Environment Department despite sufficient service. Hence, the proceedings shall go ahead ex-parte against him.

4. From the side of the Respondent No. 3/MPCB, Mr. Aniruddha Kulkarni, Learned Counsel has appeared and states that he has not been provided the copy of the original application. Therefore, we direct the Learned Counsel for the Applicant to provide copy of the original application to Learned Counsel for Respondent No.3 today itself and thereafter, within four weeks he shall file reply affidavit.

5. No one has appeared from the side of Respondent No.4/Chief Executive Officer, Slum Rehabilitation Authority, despite sufficient service. Hence, the proceedings shall go ahead ex-parte against him.

6. From the side of the Respondent No. 5/the Commissioner, MCGM, Mr. Sameer Khale, Learned Counsel has appeared and prays for two weeks time to file reply affidavit. Permission is granted. Let the same be filed within a period of two weeks from today by way of last opportunity.

7. From the side of the Respondent No. 6/SEIAA Mr. R. B.Mahabal, Learned Counsel has appeared and has not so far filed any reply affidavit and seeks some time for consultation as to whether the reply affidavit would be required to be filed. We direct him to file the reply affidavit if he is so desired within a period of two weeks from today.

8. The pleadings shall be exchanged by the parties among themselves before the next date positively so that no adjournment would need to be granted on that count.

List the matter for final on 17.11.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 23, 2022
Original Application No.56/2019(WZ)JG