

Item No.6

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No.56/2019(WZ)

Mr. Mangesh Mahadev Parab

.....Applicant

Versus

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

....Respondent(s)

Date of hearing: 24.07.2023

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

Applicant : Ms. Suganshi Ropia h/f Mr. Asim Sarode, Advocate

Respondent(s) : Mr. Saket Mone, Advocate for R-1/PP
Mr. Aniruddha S. Kulkarni, Advocate for R-3/MPCB
Mr. Girish Utangale, Advocate for R-4/SRA
Mr. Sameer Khale, Advocate along-with
Mr. Prakash Shejal, Advocate for R-5/MCGM
Mr. R. B. Mahabal, Advocate along-with
Mr. Sachin S. Gore, Advocate for R-6/SEIAA

ORDER

1. From the side of applicant, learned Counsel Ms. Suganshi Ropia holding brief of learned Counsel Mr. Asim Sarode has appeared, who has filed reply affidavit dated 21.07.2023. The same is taken on record. The learned Counsel Mr. Girish Utangale for respondent No.4 and the learned Counsel Mr. Sameer Khale for respondent No.5 submit that they have not been served a copy of the said reply affidavit filed from the side of applicant. Therefore, the learned Counsel for the applicant is directed to serve a copy of the same upon the learned Counsel for the respondent Nos.4 & 5 today itself through e-mail and rejoinder, if any, against the same may be filed by them within a period of two weeks.

2. From the side of respondent No.1/Project Proponent, learned Counsel Mr. Saket Mone has appeared, who submits that he has received a copy of the said reply affidavit of the applicant, which contains several new facts. In this regard, he has drawn our attention to para no. 6 of the said reply affidavit, where-in the project is stated to be under CRZ category as well, which is a new fact. Therefore, he says that the same needs to be rebutted. Therefore, we allow him two weeks' time to file rejoinder affidavit, if any, against the same.

3. From the side of respondent No.4/SRA, learned Counsel Mr. Girish Utangale has appeared, who apprised us that reply affidavit has been sent for approval to the Department but the same could not be received till date. Therefore, he may be allowed some time to file the reply affidavit. We allow two weeks' time by way of last opportunity with the direction that a copy of the same shall be served upon all other parties in advance.

Put up this matter for final hearing on 18.09.2023

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 24, 2023
Original Application No. 56/2019(WZ)
P.Kr