

Item No.3

(Pune Bench)

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

(By Video Conferencing)

ORIGINAL APPLICATION NO.84 OF 2022 (WZ)

Lalitkumar Namdeo Chaudhari

.... Applicant

Versus

State of Maharashtra, through the  
Principal Secretary, Deptt. Of Environment,  
And others

....Respondents

Date of hearing: 04.01.2023

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

Applicant : Applicant-in-person

Respondents : Mr. Aniruddha Kulkarni, Advocate for R-1  
Mr. Preshit Surshe, Advocate for R-7

**ORDER**

1. The applicant-in-person has appeared and states that he has filed service affidavit, which bears date 12.12.2012, which apparently is a wrong date and the said affidavit contains names of ten respondents who are said to have been served with the notice and it finds mention of some interlocutory application in OA No.84/2022, but its number is not given. We find this affidavit to be absolutely vague because in the Original Application, there are only eight respondents, out of which one respondent i.e. respondent No. 7 – Assistant Director, Town Planning and Princing Department, Navi Peth, Jalgaon has appeared through learned counsel Mr. Preshit Surshe who states that they have received the notice alongwith copy of Original Application on 30.12.2020 and after preparing the reply, the same has been forwarded to the concerned Ministry for its

approval as the same is required before filing the reply before this Tribunal. It is, therefore, prayed that two weeks' time be granted to file the reply-affidavit. The same is accordingly granted.

2. On behalf of respondent No.1 – The Principal Secretary, Department of Environment, State of Maharashtra, learned counsel Mr. Aniruddha Kulkarni has appeared and states that he does not want to file reply as no relief has been prayed against respondent No.1.

3. None has appeared from the side of other respondents, but in view of the vague service-affidavit being on record filed from the side of the applicant, we direct him to file fresh affidavit clearly stating that all other respondents have also been served, for which two weeks' time is granted. No further time would be granted to the applicant to file the service-affidavit. In case the applicant fails to serve the notice upon the remaining respondents, we would pass adverse orders against him.

4. Put up this matter on 21.02.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 04, 2023  
O.A. No.84 of 2022 (WZ)  
Npj