

Item No.4

(Pune Bench)

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

ORIGINAL APPLICATION NO.84 OF 2022 (WZ)

Lalit Kumar Namdeo Chaudhari

.... Applicant

Versus

State of Maharashtra & Ors.

.... Respondents

Date of Hearing : 16.08.2023

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

Applicant

: Applicant-in-person present

Respondents

: Mr. Aniruddha Kulkarni, Advocate for R-1
Mr. Chandrakant Bhosle, Joint Commissioner,
Urban Development Department, Collectorate,
Jalgaon
Mr. Nirmal Dayama, Advocate for R-8

ORDER

1. From the side of the applicant, he has appeared in person through VC.
2. By our previous order dated 22.05.2023, a Joint Committee was constituted by us, of which nodal agency was the District Collector, Jalgaon, who was supposed to file Joint Committee's report. None has appeared from his side today. However, Mr. Chandrakant Bhosle, Joint Commissioner, Urban Development Department, Collectorate, Jalgaon has appeared and submits that for compliance of the order of this Tribunal, blue line and red line of the river Dhadi are required to be drawn. We do not understand as to why the said necessity is being communicated to us, because we simply wanted that the inspection is required to be made to ascertain whether any structures are found to

have been made which are likely to create danger to the life of local residents, but nothing of the sort has come on record.

3. We have received a letter dated 11.08.2023 from the District Collector, Jalgaon, annexing therewith a report submitted by the Executive Engineer, Minor Irrigation Department, Jalgaon dated 20.07.2023. Although we find the letter dated 11.08.2023 to have been sent to us by the District Collector is in Marathi, English translation thereof is required to be submitted. We direct the District Collector, Jalgaon to submit the English translation of the said letter before the next date. However, we understand that in this letter, it has been mentioned that without determining the blue line and red line of Dhadi river, it cannot be ascertained that construction is found to be within river bed and what kind of threat that might cause to the local residents.

4. We direct that on the next date, the District Collector, Jalgaon shall appear before us through video-conferencing and in the meanwhile, get the blue line and red line drawn in river Dhadi and submit its report in the light of previous order dated 22.05.2023 within four weeks positively.

5. The applicant prays that the copies of documents, which have been submitted before this Tribunal, have not been provided to him. We direct the District Collector, Jalgaon to supply the copies of the letter alongwith the report, sent to this Tribunal, to the applicant as well today itself by e-mail.

6. We direct the applicant to implead the District Collector, Jalgaon as party-respondent No.9 in the Original Application today only and file an amended copy of the memo.

7. From the side of respondent No. 1 – Department of Environment, State of Maharashtra, learned standing counsel Mr. Aniruddha Kulkarni has appeared.

8. From the side of respondent No.8 – Chief Officer, Faizpur Municipal Council, learned counsel Mr. Nirmal Dayama has appeared.

9. Put up this matter for further consideration on 09.10.2020.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

August 16, 2023
O.A.No.84/2022 (WZ)
npj