

Item No. 4

(Pune Bench)

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

(By Video Conferencing)

Original Application No. 84/2022(WZ)

Lalit Kumar Namdeo Chaudhari

.....Applicant(s)

Versus

State of Maharashtra

....Respondent(s)

Date of hearing: 22.09.2022

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

Applicant(s) : Applicant-In-person

Respondent : Mr. Aniruddha Kulkarni, Advocate for R-1

ORDER

1. The matter concerns illegal constructions in the river bed of Dhadi at Faizpur, Taluka- Yawal, District- Jalgaon which is likely to result in flooding of the local area and consequently, loss of property and human casualties. The alleged construction is stated to have been made by Respondent No. 8/Faizpur Municipal Council, Faizpur in connivance with the other Respondents. The said illegal construction is done in the garb of beautification of Dhadi River. In the pleadings, it has come on record that as per the SDM's report, encroachment of road and retaining wall is about 18-25 meters within Waterway of Dhadi River.

2. In view of above, we find that substantial question relating to adverse impact on environment is made out and therefore, we admit this application.

3. Issue Notice to the Respondents, returnable within four weeks.
4. Mr. Aniruddha Kulkarni, Learned Counsel accepts notice on behalf of Respondent No.1/Principal Secretary, Environment Department, Mumbai. Hence, notice is waived for Respondent No. 1.
5. Applicant is directed to provide copy of the application and relevant documents to the Respondents within a week.
6. Respondents are directed to submit their reply affidavits before 14.11.2022.
7. Applicant is also directed to take necessary steps for service upon the Respondents by both ways and also through available e-mail.
8. Put up this matter along-with record of Original Application No. 54/2021 on 14.11.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 22, 2022
Original Application No. 84/2022(WZ)
P.Kr