

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

[Through Physical Hearing (With Hybrid Option)]

**EXECUTION APPLICATION NO.18 OF 2023 (WZ)  
IN  
APPEAL NO.32 OF 2020 (WZ)**

Tanaji Balasaheb Gambhire .... Applicant

Versus

Chief Secretary, Govt. of Maharashtra & Ors. ....Respondents

Date of hearing: 05.01.2024

**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-2, R-3, R-4  
and R-11  
Ms. Manasi Joshi, Advocate for R-6  
Ms. Gayatri Kharate, Advocate for R-7 and R-8

**ORDER**

1. From the side of the execution applicant, the applicant has appeared in person and has filed service affidavit, as per which the service on all respondents is sufficient.

2. An e-mail dated 05.01.2024 has been received by us from Mr. Abhishek Salian, learned counsel holding for Mr. Saket Mone, learned counsel, representing respondent No.10 – M/s Goel Ganga India Pvt. Ltd./Project Proponent, wherewith a copy of the order dated 22.09.2023 passed by the Hon'ble Supreme Court in Civil Appeal Diary No. 35397/2023 has been annexed, which shows that the order dated 04.05.2022 passed by this Tribunal in Appeal No.32/2023, execution of which has been sought in the present Execution Application, has been

appealed against and the matter is pending consideration before the Hon'ble Supreme Court. We find that there is no stay granted by the Hon'ble Supreme Court to the order dated 04.05.2022, referred above, so far. The order of the Hon'ble Supreme Court, however, shows that a sum of Rs.10,00,00,000/- (Rupees Ten Crores) has already been paid by respondent No.10 without prejudice to the rights and contentions of the parties, which shows that part compliance has already been done.

3. From the side of respondent No.10/Project Proponent, none has appeared today nor any reply-affidavit has been filed.

4. Looking to the fact that there is no stay to the order passed by this Tribunal by the Ho'ble Supreme Court, we deem it appropriate, at least pleadings may be completed in the present matter. Therefore, respondent No.10 is granted four weeks' time to file the reply.

5. From the side of respondent No.2 – Environment Department, respondent No. 3 – SEIAA, respondent No. 4 – SEAC-III and respondent No. 11 – CPCB, learned counsel Mr. Aniruddha Kulkarni has appeared who states that he does not want to file reply-affidavit as these respondents are formal parties.

6. From the side of respondent No.6 – MPCB, learned counsel Ms. Manasi Joshi has appeared and seeks four weeks' time to file the reply and restoration plan. We allow the same.

7. From the side of respondent No.7 – Pune Municipal Corporation and respondent No.8 – Prashant Waghmare, City Engineer, PMC, learned counsel Ms. Gayatri Kharate has appeared, who seeks four weeks' time to file the reply. We allow the same.

8. The applicant has also expressed apprehension that the term of present SEIAA is going to expire on 12.01.2024. We hope that in case the SEIAA is dissolved, its work would be looked after by MoEF&CC as far as the proceedings before this Tribunal are concerned and it be ensured that no further delay occurs in compliance of the order of this Tribunal.

9. Put up this matter for further consideration on 13.03.2024.

**Dinesh Kumar Singh, JM**

**Dr. Vijay Kulkarni, EM**

January 5, 2024  
E.A. No.18/2023 (WZ)  
npj