

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Execution Application No.21/2023(WZ)
In
Original Application No.75/2021(WZ)**

The Cliff Garden Co-op. Hsg. Society Ltd. & Anr.

.....Applicant(s)

Versus

Gram Panchayat, Maan & Ors.

....Respondent(s)

Date of hearing: 07.02.2024

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

Applicant : Mr. Saurabh Kulkarni, Advocate
Respondent(s) : Gram Vikas Adhikari, in-person for R-1
Ms. Manasi Joshi, Advocate for R-6/MPCB

ORDER

1. From the side of the execution applicants, learned counsel Mr. Saurabh Kulkarni has appeared, who has filed service affidavit, as per which the service of notice upon respondent No.1- Gram Panchayat, Maan is found to be sufficient.

2. From the side of respondent No.1 – Gram Panchayat- Maan, Gram Vikas Adhikari has appeared in-person before us through Video Conferencing, who submits that he has engaged a counsel and has also obtained stay from the Hon'ble Supreme Court against the amount of EDC, which has been directed to be deposited. But we have not been provided any copy of order passed by the Hon'ble Supreme Court staying the realization of the amount of EDC. We direct the respondent No.1 to engage a counsel to represent them before us and submit reply affidavit in this

matter within a period of seven days and serve a copy of the reply affidavit to all other parties, who may file rejoinder affidavit against the same, if any, within one week thereafter.

3. From the side of respondent No.6 – MPCB, learned counsel Ms. Manasi Joshi has appeared, who submits that reply affidavit dated 21.11.2023 has already been filed, wherein total amount of EDC has been calculated to the tune of Rs.43,00,000/- (Rs. Forty Three Lakhs). It is further submitted by her that vide letter dated 17.11.2023, issued to the Sarpanch/Village Development Officer, Maan Grampanchayat, the said amount has been directed to be deposited. But till now, such amount has not been deposited.

4. Since the execution of our order dated 22.02.2023 is prayed in this execution application, which also had directed the District Collector, Pune to provide the land to the respondent No.1 for setting up the MSW Processing Plant at the earliest, we direct the Registry to issue notice to the District Collector, Pune to submit reply in this regard within a period of two weeks.

Put up this matter for further consideration on 01.03.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

February 07, 2024
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P.Kr