

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.166/2023(WZ)
Earlier L.P. No.43/2023(WZ)**

Dinesh Kharade

.....Applicant

Versus

State of Maharashtra through Pune Municipal Corporation & Anr.

....Respondent(s)

Date of hearing: 09.05.2024

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

Applicant : Applicant in-person along-with
Mr. Vijay Mhaske, Advocate h/f
Mr. Tanaji Gambhire, Advocate

Respondent(s) : Mr. Rahul Garg, Advocate for R-1 & 2/PMC

ORDER

1. This order is being passed in continuation to the earlier orders dated 02.11.2023 and 09.04.2024.
2. From the side of applicant, applicant in-person along-with learned counsel Mr. Vijay Mhaske holding brief of learned counsel Mr. Tanaji Gambhire have appeared. Learned counsel Mr. Vijay Mhaske has submitted before us that he has been engaged today only in this matter and prays for some time to be allowed to file Vakalatnama. We allow him to file the same today only.
3. In compliance with our previous order dated 09.04.2024, the respondent Nos.1 & 2- PMC has submitted its compliance report dated 08.05.2024 to the following effect:-

“ 1. Water Department requested the Garden Department for providing land for planting new trees. Garden Department provided land at Phursungi, Taluka Haveli, Pune.

2. *PMC has planted 702 trees Phursungi. Hereto marked and annexed as **Annexure A** are the photographs of 702 trees along-with its GPS location.*
3. *PMC has now planted total 1062 (360+702) trees and has complied with all the conditions imposed by the Tree Officer for uprooting/transplanting trees which were obstructing the work of laying down of water pipelines.”*
4. It is apparent from the above-mentioned report that in place of 972 trees, which were to be planted by the PMC because of only 324 trees were cut for laying down the water supply pipeline, they have planted 1062 nos. of trees, which are much more than 972 trees in figure.
5. The learned counsel for applicant seeks time to file objection against the above-mentioned report. But we do not find any good ground to allow him time to file the same. We intend to dispose of the present Original Application, particularly, in view of the fact that the applicant in his letter petition had made a complaint regarding cutting of just 324 trees and wanted that in place of that trees, 972 trees should have been planted. We find according to the report of respondent Nos.1 & 2- PMC that more than that number i.e. 1062 trees have already been planted by the PMC. Therefore, it is only computation to be made by the applicant by visiting the site and verify that the same has been done or not.
6. In view of above, we find no ground to pass any direction to the said respondents in this application and dispose of the present Original Application accordingly.
7. If any grievance remains even then to the applicant, applicant may approach us by filing Misc. Application.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

May 09, 2024
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P.Kr