

Item No.6

(Pune Bench)

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

[Through Physical Hearing (With Hybrid Option)]

ORIGINAL APPLICATION NO.185 OF 2023 (WZ)

Vanashakti Public Trust & Ors.

.... Applicants

Versus

Union of India & Ors.

....Respondents

Date of hearing: 08.02.2024

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

Applicants : Mr. Zaman Ali, Advocate

Respondents : Mr. Rahul Garg, Advocate for R-1 MoEF
Mr. Aniruddha Kulkarni, Advocate for R-2(i) and R-2(ii)-
Department of Environment, Govt. of Maharashtra and
R-3 – MCZMA
Ms. Shakuntala Wadekar, Advocate for R-4 along with
Mr. Arvind V. Joshi, Officer, representing R-4-WRD
Ms. Manasi Joshi, Advocate for R-7-MPCB

ORDER

1. In compliance of our previous order dated 28.11.2023, learned counsel for the applicants has filed a typed copy of the memo of Original Application and the same has been served upon all the parties.

2. From the side of respondent No.1 – MoEF, learned counsel Mr. Rahul Garg has appeared and states that already, two affidavits had been filed before the Hon'ble High Court and the same may be treated to have been filed in this application.

3. From the side of respondent Nos.2(i) and 2(ii) – Environment Department, Govt. of Maharashtra, learned counsel Mr. Aniruddha Kulkarni has appeared and seeks two weeks' time to confirm as to whether he would be required to file additional reply because reply had

already been filed before the Hon'ble High Court. We grant the said time for the said purpose.

4. From the side of respondent No.3 – MCZMA, learned counsel Mr. Aniruddha Kulkarni has appeared.

5. Learned counsel appearing for respondent No.4 – Water Resources Department submits that she has not received typed copy of the Original Application and when enquired to her as to why she could not obtain it from the applicants, she says that she does not have e-mail address of the applicants. We direct learned counsel for the applicants to provide her the typed copy of the O.A. today only through e-mail.

6. From the side of respondent No.5 – Kalyan-Dombivali Municipal Corporation, none has appeared. We direct the learned counsel for the applicants to send a copy of the typed O.A. to respondent No.5 by registered post, informing therein about the next date of hearing of this matter.

7. From the side of respondent No. 6, none has appeared despite having been informed through e-mail by the Registry of this Tribunal.

8. From the side of respondent No. 7 – MPCB, learned counsel Ms. Manasi Joshi has appeared and states that no additional reply is required to be filed and would rely upon the one which was filed before the Hon'ble High Court.

9. From the side of respondent No. 8 – Ministry of Jalshakti, none has appeared despite the information given by the Registry through e-mail. We direct learned counsel for the applicants to send copy of the typed O.A. to respondent No. 8 by registered post and also inform the date of next hearing of this matter.

10. Additional affidavit dated 07.02.2024 has been filed by the applicants, which is taken on record. A copy of the same shall also be served on other parties.

11. Put up this matter for further consideration on 04.04.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

February 8, 2024
O.A. No.185/2023 (WZ)
npj