

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

[Through Physical Hearing (with Hybrid Option)]

**ORIGINAL APPLICATION NO.02 OF 2023 (WZ)
WITH
I.A.NOS.12/2023 & 130/2023 IN O.A. NO.02/2023**

Sunil S. Mulye & Ors.

.... Applicants

Versus

Union of India, through MoEF & Ors.

.... Respondents

Date of hearing : 05.12.2023

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

Applicants : Mr. Bipin Joshi, Advocate for Applicant No.1
Mr. Madhur Rai, Advocate for Applicant No.2

Respondents : Mr. Rahul Garg, Advocate for R-1
Mr. Aniruddha Kulkarni, Advocate for R-2
Ms. Manasi Joshi, Advocate for R-3 and R-4
Mr. Shivshankar Swaminathan, Advocate for R-6
Mr. Mukesh Verma, Advocate for R-8

ORDER

1. From the side of applicant No.1, learned counsel Mr. Bipin Joshi has appeared, who states that he has not been served with a copy of the Committee report and the written submissions thereon submitted on behalf of applicant No.2, which have been filed today. Therefore, we direct the State Wetland Authority to serve a copy of the Committee Report on the learned counsel for applicant No.1.

2. We find that learned counsel Mr. Bipin Joshi, who is representing applicant No.1 had filed the present Original Application on behalf of both the applicants and later on, on an application i.e. I.A. No.188/2023 filed

from the side of applicant No.2 – Suncity Public Welfare Association, seeking its transposition as one of the respondents and upon consent being granted by applicant No.1’s learned counsel Mr. Bipin Joshi that he has no objection to learned counsel Mr. Madhur Rai representing applicant No.2, we had permitted learned counsel Mr. Madhur Rai to argue in this case on behalf of applicant No.2 and applicant No.1 will be continued to be represented by learned counsel Mr. Bipin Joshi.

3. In view of above facts, we have already heard arguments of learned counsel Mr. Madhur Rai for applicant No.2.

4. We direct the learned counsel for applicant No.1 to file rejoinder to the Committee report, if any within two weeks.

5. From the side of respondent No.1 – MoEF, learned counsel Mr. Rahul Garg has appeared.

6. From the side of respondent No.2 – Department of Environment and Forests, State of Maharashtra, learned counsel Mr. Aniruddha Kulkarni has appeared.

7. From the side of respondent No.3 – MCZMA and respondent No.4 – MPCB, learned counsel Ms. Manasi Joshi has appeared and states that the reply has been filed on behalf of respondent No.4. It is apprised by her that the Joint Committee report has been served on all the parties.

8. From the side of respondent No. 6 – Vasai-Virar City Municipal Corporation, learned counsel Mr. Shivshankar Swaminathan has appeared.

9. From the side of respondent Nos.5 (District Collector, Palghar) and respondent No.7 (Mahaveer Enterprises), none has appeared.

10. From the side of respondent No. 8 – the State Wetlands Authority, learned counsel Mr. Mukesh Verma has appeared.

11. Copy of written submissions filed by learned counsel for applicant No.2 today shall be served on the learned counsel for applicant No.1.

12. Put up this matter for next consideration on 05.03.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 05, 2023
Original Application No.02/2023(WZ)
npj