

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No.222/2023(WZ)

Mrs. Mangal W/O Vishnu Bodkhe & 4 Ors.

.....Applicant(s)

Versus

M/s. Matrix Life Science Pvt. Ltd. & 3 Ors.

....Respondent(s)

Date of hearing: 11.03.2024

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

Applicant : Ms. Shriya Awale h/f Mr. Asim Sarode, Advocate
Respondent(s) : Mr. Sachin Gore, Advocate along-with
Mr. R. B. Mahabal, Advocate for R-1/PP
Mr. Aniruddha Kulkarni, Advocate for R-3/CPCB

ORDER

1. From the side of applicants, learned counsel Ms. Shriya Awale holding brief of learned counsel Mr. Asim Sarode has appeared. We direct her to file Vakalatnama, if she has not filed, in case she wants to argue in this matter.
2. In compliance with our previous order dated 05.01.2024, service affidavit has been filed as per which service of notice upon all the respondents is found to be sufficient.
3. By our previous order, we had directed the applicants to furnish the details as to how the figure of Rs.30 lakh has been arrived at, which are being claimed as loss caused to their crops. In response to that, an application dated 09.03.2024 has been submitted by the applicants today through e-mail, wherein it is recorded that the said amount of Rs.30 lakh

is a rough estimate, made on the basis of expenses incurred by the applicants while buying seeds, saplings, etc., details of which are mentioned in para nos.4 & 5 of the said application. But we find that there are no receipts etc. for the same have been annexed, which are said to have been included in arriving on the figure of Rs.30 lakh (approximately). Without these documentary evidences, it could be difficult to get the assessment of the loss caused to the crops of the applicants. We may make it clear that in case the applicants are claiming a sum of Rs.30 lakh to be awarded by way of loss caused to their crops then Form No.II is required to be filled up and also a court fees would be payable then only such relief would be entertained. Therefore, we provide an opportunity of seven days to the applicants to fill up Form No.II as prescribed under rules and pay the adequate court fees in case the personal compensation is prayed to be awarded.

4. From the side of respondent No.1- M/s Matrix Life Science Pvt. Ltd., learned counsel Mr. Sachin Gore along-with learned counsel Mr. R.B. Mahabal have appeared, who submit that they would be filing reply affidavit within a period of two weeks. The said time is allowed. Orally, it has been submitted before us that large number of facts have been concealed by the applicants and that the present application deserves to be dismissed at the very outset.

5. None has appeared from the side of respondent No.2- MPCB, respondent No.4- MoEF&CC and respondent No.5- The Department of Agriculture through its District Superintendent Agriculture Officer despite sufficient service. Therefore, we direct the Registry to send a letter to the Member Secretary, MPCB; the Secretary, MoEF&CC; and the District Superintendent Agriculture Officer, Department of Agriculture, Jyotinagar, Aurangabad to show cause as to why no one was deputed to

represent them today before this Tribunal and as to why no reply has been filed from their side and that the same be filed within a period of two weeks, failing which we would have no option but to order them for personal appearance before this Tribunal.

Put up this matter for further consideration on 22.04.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

March 11, 2024
Original Application No.222/2023(WZ)
P.Kr