

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.01/2024(WZ)
I.A. No.02/2024(WZ) & I.A. No.65/2024(WZ)**

Vishal Shantaram Darwatkar

.....Applicant

Versus

Union of India, through Secretary, MoEF&CC & Ors.

....Respondent(s)

Date of hearing: 09.04.2024

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

Applicant : Mr. Tanaji Gambhire, Advocate along-with
Mr. Vijay Mhaske Advocate

Respondent(s) : Mr. Pushkal Mishra, Advocate for R-1/MoEF&CC
Mr. A. J. Pathak, Advocate for R-2/CGWA
Mr. Aniruddha Kulkarni, Advocate for R-3/SEIAA
Ms. Manasi Joshi, Advocate for R-4/MPCB
Mr. Rahul Garg, Advocate for R-6 & 7/PMC
Ms. Supriya Dangare, Advocate for R-9/PP
Mr. Saurabh Kulkarni, Advocate for R-10/PP

ORDER

I.A. No.65/2024(WZ)

1. From the side of applicant, learned counsel Mr. Tanaji Gambhire has appeared before us, who has pressed for I.A. No.65/2024(WZ) to be taken up today, whereby impleadment of “Ganga Ishanya ‘C’ Co-Operative Housing Society Ltd.” is prayed in the present Original Application for the reasons mentioned in para nos.5 & 6 of the said I.A.

2. We find that since the Society has been formed and the builder has already handed over the possession because of which the said Society appears to be a necessary party in the present Original Application and

moreover, there is no objection filed against this I.A. by any of the respondents, we allow this I.A. and direct the applicant to implead the said Society as respondent No.11 in the present Original Application and file an amended memo of parties on record.

I.A. No.65/2024(WZ) stands disposed of accordingly.

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3. Service affidavit has been filed by the applicant, as per which service of notice upon all the respondents is found to be sufficient.

4. From the side of respondent No.1- MoEF&CC, learned counsel Mr. Pushkal Mishra has appeared, who submits that he has already filed reply affidavit. A copy of the same is stated to have not been received by the learned counsel for applicant as well as learned counsel for all other respondents. Therefore, we direct the learned counsel for respondent No.1 to serve a copy of the same upon the learned counsel for all other parties through e-mail.

5. From the side of respondent No.2- Central Ground Water Authority, learned counsel Mr. A. J. Pathak has appeared, who prays for four weeks' time to be allowed to file reply affidavit. The said time is allowed.

6. From the side of respondent No.3- SEIAA- Maharashtra, learned counsel Mr. Aniruddha Kulkarni has appeared, who submits that the term of SEIAA is over and the same is to be reconstituted very soon, but he would go through the reply affidavit filed by the respondent No.1- MoEF&CC and if any requirement is there to file the reply affidavit, the same would be considered to file the same.

7. From the side of respondent No.4- MPCB, learned counsel Ms. Manasi Joshi has appeared, who submits that she has already filed reply affidavit.

8. From the side of respondent Nos.6 & 7- PMC, learned counsel Mr. Rahul Garg has appeared, who prays for four weeks' time to be allowed to file reply affidavit. The said time is allowed.

9. From the side of respondent No.9- Ganga Ishanya Co-Operative Housing Society Ltd., learned counsel Ms. Supriya Dangare has appeared, who submits that reply affidavit is ready and would be filing within two days. The same is allowed.

10. From the side of respondent No.10-M/s. Mahanagar Reality/Project Proponent, learned counsel Mr. Saurabh Kulkarni has appeared, who prays for four weeks' time to be allowed to file reply affidavit. The said time is allowed.

Put up this matter for further consideration on 08.07.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 09, 2024

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