

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**ORIGINAL APPLICATION NO. 01 of 2024 (WZ)
WITH
I.A. NO.02/2024 (WZ)**

Vishal Shantaram Darwatkar**Applicant**

Versus

Union of India, through Secretary & Ors.**Respondents**

Date of hearing: 25.06.2025

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

Applicants : Mr. Tanaji Gambhire, Advocate along with Mr. Vijay Mhaske,
Advocate

Respondents : Mr. Pushkal Mishra, Advocate for R-1
Mr. Shubham Rathod, Advocate holding for Mr. Rahul
Garg, Advocate
Mr. Atul J. Pathak, Advocate for R-2
Ms. Pooja Natu, Advocate holding for Ms. Manasi Joshi,
Advocate Advocate for R-4
Mr. Saurabh Kulkarni, Advocate for R-10

ORDER

1. From the side of respondent No.10, learned counsel Mr. Saurabh Kulkarni has appeared and states that by previous order of this Tribunal dated 31.01.2025 in paragraph No.2, respondent No. 4 – MPCB was directed to calculate the amount of EDC to be levied from the Project Proponent for the gaps in obtaining the Consent to Establish and Consent to Operate, which should not be the amount of EDC, rather it should be penalty amount.

2. From the side of the applicant, Mr. Tanaji Gambhire, learned counsel has apprised that the MPCB – respondent No.4 has already held a meeting with respect to calculation of EDC and that the affidavit is in the process of

being filed. We have been informed by the learned counsel for respondent No.10 that a message has been passed on to him by the learned counsel Ms. Manasi Joshi for respondent No.4 – MPCB that fifteen days' time may be allowed to her for filing the affidavit in compliance with this Tribunal's order dated 31.01.2025. No direct contact could be established with the learned counsel for MPCB – respondent No.4. Later on learned counsel Ms. Pooja Natu, holding brief of learned counsel Ms. Manasi Joshi, has appeared through VC and sought two weeks' time to file the affidavit. We allow the same.

3. From the side of respondent No.1, learned counsel Mr. Pushkal Mishra has appeared, from the side of PMC, learned counsel Mr. Shubham Rathod, holding brief of learned counsel Mr. Rahul Garg, has appeared and from the side of respondent No.2, learned counsel Mr. Atul J. Pathak has appeared.

4. Put up this matter for further consideration on 11.08.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

June 25, 2025

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npj