

**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 IN O.A.NO.01/2024 (WZ)**

Vishal Shantaram Darwatkar ... **Applicant**

Versus

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

Date of Hearing : 30.09.2024

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

Applicant : Mr. Tanaji Gambhire, Advocate through VC

Respondents : Mr. Pushkal Mishra, Advocate for R-1
Mr. Atul J. Pathak, Advocate for R-2
Mr. Aniruddha Kulkarni, Advocate for R-3
Ms. Manasi Joshi, Advocate for R-4
Mr. Rahul Garg, Advocate for R-6 and R-7
Ms. Supriya Dangare, Advocate for R-9 and R-11
Mr. Saurabh Kulkarni, Advocate for R-10

ORDER

1. From the side of the applicant, learned counsel Mr. Tanaji Gambhire has appeared through VC and states that he has filed amended memo of parties after impleadment of Ganga Ishanya "C" Co-operative Housing Society Ltd., as respondent No.11, which is being represented today by learned counsel Ms. Supriya Dangare, who seeks two weeks' time to file the reply-affidavit. The same is allowed.

2. From the side of respondent No.1 – MoEF&CC, learned counsel Mr. Pushkal Mishra has appeared and states that they have filed the reply-affidavit, which is already on record. However, copy of the said reply-affidavit has not been served on the applicant. We direct him to serve the same on

the learned counsel for the applicant and other parties within two weeks, if not served earlier.

3. From the side of respondent No.2 – Central Ground Water Authority, learned counsel Mr. A.J. Pathak has appeared, who had already been granted two weeks' time to file the reply-affidavit, which has not so far been filed. But in the interest of justice, two weeks' additional time is granted to him to file the reply-affidavit with a direction that a copy of the same shall be served on all other parties.

4. From the side of respondent No.3 – SEIAA, learned counsel Mr. Aniruddha Kulkarni has appeared and seeks four weeks' time to file the reply-affidavit. The same is allowed by way of last opportunity.

5. From the side of respondent No.4 – MPCB, learned counsel Ms. Manasi Joshi has appeared and states that the reply-affidavit has already been filed.

6. None has appeared from the side of respondent No.5 – the Secretary, Urban Development Department. The learned counsel for the applicant submits that respondent No.5 is a necessary party and their reply must be ensured to be brought on record because it is they who have to take action. We direct the Registry to send a letter to the Secretary, Urban Development Department, Government of Maharashtra, Mumbai to show cause as to why none has appeared from their side in this matter, directing further that by the next date, somebody should appear before us along with their reply to be filed before the next date.

7. From the side of respondent Nos.6 and 7 – PMC, learned counsel Mr. Rahul Garg has appeared and filed the reply-affidavit dated 28.09.2024 today, which is taken on record. The learned counsel for the applicant states that he has not received copy of the same. We direct learned counsel for respondent Nos.6 and 7 to serve a copy of the said reply-affidavit to the

learned counsel for the applicant today through e-mail and within a week thereafter, rejoinder thereto, if any may be filed by the applicant.

8. From the side of respondent No.8 – Collector, Pune none has appeared.

9. From the side of respondent Nos.9 and 11 – Ganga Ishanya Cooperative Housing Society Ltd and Ganga Ishanya “C” Cooperative Housing Society Ltd., respectively, learned counsel Ms. Supriya Dangare has appeared and submits that she will be filing a combined affidavit-in-reply within two weeks, as stated above.

10. From the side of respondent No.10 – M/s Mahanagar Realty, learned counsel Mr. Saurabh Kulkarni has appeared and seeks three weeks’ time to file the reply-affidavit. The same is allowed.

11. Put up this matter for next consideration on 09.12.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 30, 2024
O.A.No.01/2024(WZ)
npj