

Item No.08:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

[Through Physical Hearing (Hybrid Option)]

Original Application No. 145 of 2022 (SZ)

IN THE MATTER OF:

Sri. Paramesh.V,
Bengaluru.

...Applicant(s)

Versus

The Deputy Commissioner,
Bengaluru Urban District,
Bengaluru and Ors.

...Respondent(s)

Date of hearing: 08.09.2025.



CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. A. SENTHIL VEL, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Mr. Rajat Jonathan Shaw represented
Mr. Darpan K.M. for R1.
Ms. P.G. Shamala represented
Mr. M.R. Gokul Krishnan for R3 to R5.
Mr. T. V. Sekar for R2 & R7.
Mr. K. Gowtham Kumar, Mr. Athiban Vijay
& Mr. N.K. Amogh Simha for R6.

ORDER

1. The original prayer in this application was for a direction to the respondent authorities to stop and take strict action against the 6th Respondent with regard to the ongoing construction activities in the storm water drain/stream/nallah and its buffer zone, and further to direct the authorities to maintain the storm water drain free from any encroachment.

2. The applicant has not appeared on 18.03.2024, 06.08.2024, 17.09.2024, 13.11.2024 and 20.12.2024. On 18.03.2025, the learned counsel, Mr. N. Manjunath, undertook to file a change of vakalat on behalf of the applicant. However, no such vakalat has been filed till date, and there has been no representation for the applicant either in person or through counsel. The matter was thereafter adjourned to 08.04.2025 and 22.07.2025, on which date also there was no appearance. Today, the matter is listed under the caption "For Dismissal", and even today, there is no representation for the applicant.

3. The latest report of the Karnataka State Pollution Control Board dated 19.12.2024 states that water samples were collected as directed by this Tribunal, and the analysis shows that the sample of the treated sewage does not conform to the prescribed standards with respect to BOD, COD, and Total Nitrogen.

4. The report of the Project Proponent (Respondent No.6) states that the SEIAA-Karnataka accorded Environmental Clearance on 10.03.2020 for the project, and the Consent for Establishment was issued by the Karnataka SPCB on 21.08.2020,

permitting construction of 232 flats. According to the Project Proponent, the only *Korakallu (Kaluva)* within the property has been retained and strengthened. It is further stated that the District Commissioner, in terms of Section 71 of the Karnataka Land Revenue Act, 1964, has changed the path and permitted the use of land for development. However, the Deputy Commissioner has not filed any report till date, despite the matter being pending since 2022.

5. The learned counsel appearing for the Project Proponent submits that there has been a failure on the part of Respondents No.1 to 5, who are the official respondents, including the Karnataka SPCB, as well as Respondent No.7, to discharge their fundamental duties, which has resulted in severe environmental and ecological damage around the construction site. It was further stated that the alleged violations of environmental laws, said to have been endorsed by Respondents No.1 to 5 and 7, are denied by Respondent No.6.

6. Though the applicant has not been appearing, it is the duty of the Deputy Commissioner and the BBMP to file their reports with respect to the allegations raised in the application.

7. Accordingly, we direct the Deputy Commissioner, Bengaluru Urban, and the Commissioner, BBMP, to file their respective reports on or before 17.10.2025, failing which the Commissioner, BBMP, may have to appear before this Tribunal.

8. Post the matter on 03.11.2025.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. A. Senthil Vel, EM

O.A. No. 145/2022 (SZ)
08th September, 2025. AD.

