

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

M. A. Nos. 687 OF 2013 & 973 OF 2013

In

Original Application No. 174 of 2013

Rohit Choudhury Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present:

Applicant:	Mr. Rahul Choudhary, Advocates
M.A. NO. 973 of 2013:	Mr. Ratan Kr. Singh and Mr. Sushil Kabra, Advs.
Respondent No. 3:	Mr. M.K. Bhardwaj, Adv. And Mr. Virender Singh Khira, SE, DG, Road Development & SS, MORTH
Respondent No. 4:	Mr. Pinaki Misra, Sr. Advocate, Mr. Tavinder Sidhu, Advocate and Mr. M.V.B. Mukhopadhyay, DGM (Env.), NHAI
Respondent No. 6:	Mr. P. Sinha, Mr. T.K. Majumdar, Advs. And Mr. Chakroborty, MD of NRL
Respondent No. 7to9:	Mr. Avijit Roy, Advocate

Date and Remarks	Orders of the Tribunal
Item No. 5 October 29, 2013	<p>Learned counsel appearing for the respective Respondents have made various submissions in the matter.</p> <p>However the suggestions made by the Learned counsel can hardly be considered by the Tribunal in absence of Ministry of Environment and Forests (for 'MoEF') which is a necessary party and infact was appearing prior to this day before the Tribunal.</p> <p>At the cost of repetition, we have noticed that in number of cases today and even yesterday nobody appeared on behalf of MoEF. Thus, compelling the Tribunal to adjourn the cases. We are unable to appreciate this conduct on the part of the MoEF. We could have proceeded to pass some coercive Orders today, but in the interest of justice, we defer the proceedings in this case which involves serious issues of grant of EC for road construction in the Kanziranja Sanctuary and death of wildlife, due to rash and negligent driving in that area.</p> <p>Except Sr. Officer who would ensure the compliance of the directions issued by the Tribunal, other Officers' presence before the Tribunal is exempted till further Orders. However they should ensure that the Learned counsel appearing for the parties get appropriate instructions prior to the next date of hearing</p>

Let copy of this Order be also sent to the Secretary of MoEF for appropriate action at his end.

Let this matter be listed on 19th November, 2013.

Interim orders to continue.

M.A. No. 973 of 2013

Let copy of the Application be furnished to the Learned counsel appearing for parties during the course of the day.

This is an Application for impleadment of Greater Kaziranga Human Resource and Environment Protection Committee as party Respondent in the main Application.

There is no objection to this Application. Consequently the same is allowed. Amend the Original Application accordingly.

Accordingly, M.A. No. 973 of 2013 stands disposed of.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(B.S. Sajwan)

.....,EM
(Dr. R.C. Trivedi)