

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

O.A. No. 178/2017/EZ
With
M.A. No. 01/2018/EZ

MAHANAY RIVER SAFETY SOCIETY

VS

STATE OF BIHAR & ORS

CORAM: **Hon'ble Mr. Justice S.P.Wangdi, Judicial Member**

PRESENT: **Applicant : Mrs. Paushali Banerjee, Advocate**
Respondent No. 1 : Mr. Surendra Kumar, Advocate
Other Respondent : None

Date & Remarks	Orders of the Tribunal
<p>Item No. 5 11th January, 2018.</p>	<p>It is submitted at the outset by Mrs. Paushali Banerjee, Ld. Advocate for the Applicant that notices in respect of the Respondents could not be served as inadvertently the requisites were not filed as directed vide order dated 11.12.2017.</p> <p>Mr. Surendra Kumar, Advocate is present in the court and accepts notice in respect of the Respondent No. 1, the State of Bihar. He also assures that he shall inform the Respondent No. 2, the State PCB of the pendency of the present case and the need for them to appear.</p> <p>Mrs. Banerjee, Ld. Advocate for the applicant has handed over copies of the OA as well as the MA today to Mr. Kumar for taking appropriate steps.</p>

By referring to the MA No. 01/2018/EZ, Mrs. Banerjee points out that the revenue record filed as Annexure A thereto indicates that the Block Headquarters Administrative building under construction in Khasra No. 118 is located in the Mahanoy river.

This is a serious matter which the State Respondents would require to take into consideration as neither the river nor its banks can be used for any activity leave alone construction of permanent structures. The State Respondents shall address this question in their reply.

In the meanwhile, if the allegation made in the OA is found to be true and correct, the State Respondent shall ensure that the construction is stopped forthwith. The District Magistrate, Munger, is directed to make enquiry by visiting the spot. Report on inspection and the action taken thereafter shall be filed along with the affidavit-in-opposition before next date.

List on 26.2.2018.

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Justice S.P.Wangdi, JM
11-1-2018

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