

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

**Appeal No. 25 of 2015
(M.A. No. 428 of 2015 & M.A. No. 429 of 2015)**

IN THE MATTER OF:

Srushti Paryavaran Mandal Vs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

Applicant :	Mr. Ritwick Dutta, Adv., Ms. Pallavi Talware, Adv.
Respondent No. 1 :	Mr. Vishwendra Verma, Adv.
Respondent No.2:	Mr. K.N. Shukul, Adv.
Respondent No. 3:	Mr. V.K. Shukla, Adv.
Respondent No.5:	Mr. Pinaki Mishra, Sr. Adv., Ms. Ayushi Kiran, Adv., Mr. S.P. Sharma, GM, NHAI MR. Vikas Malhotra and Mr. M.P. Sahay, Adv. for NTCA

Date and Remarks	Orders of the Tribunal
Item No. 13 July 03, 2015 A	<p>Learned counsel appearing for MoEF and NTCA pray for further time to file the Reply. We may notice that the case was fixed for hearing today keeping in view the submissions made on behalf of the Project Proponent that the case should be heard early as the stoppage of the project is seriously prejudicing the interest not only of the Project Proponent but even of the public.</p> <p>It was for these reasons that we have fixed the case immediately after reopening of the Court.</p> <p>However, Learned counsel appearing for above Respondents submit that despite their best efforts they have not been able to get proper response from their Department/ Ministry.</p> <p>This Tribunal is not concerned with the functioning and interaction between the counsel and their Department/Ministry; it is for them to manage their affairs.</p>

However, in the interest of justice and by way of last opportunity we grant 10 days time to the said Respondents to file the respective Replies. In the Reply to be filed on behalf of the MoEF it will be specifically stated as to the implementation of the condition No. 9 stated in the order of FC Stage – I Clearance dated 13th December, 2013. They shall also state as to under what Authority of law letter dated 08th January, 2015 was issued granting Stage II Clearance stating that the project does not require the clearance of National Board for Wildlife and Environmental Clearance. Notification dated 22nd August, 2013 shall also be placed on record with a clear statement as to under what Authority of law the said Notification was issued. In the event the Replies are not filed by these Respondent the senior officer from their Department/ Ministry shall be present before the Tribunal with the records, as we do not propose to adjourn this case any further. Rejoinder thereto, if any, be filed within one week thereafter.

List this matter for final hearing on 27th July, 215.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

.....,EM
(Prof. A.R. Yousuf)

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