

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH, PUNE**

APPLICATION NO.43/2014

Girish D. Gaonkar & Ors Vs. State of Goa & Ors

Application No.52/2014 (WZ)

Shri. Surendra Sazu Govekar & Ors. Vs Village Panchayat of Anjuna-Caisua & Ors

COMMON ORDER

These Applications are filed under Order 18, Rule 18 of C.P. Code, 1908. The common request made by the parties is that both the Members of this Tribunal should visit the site in question in order to ascertain the fact situation. Ordinarily, we would not have and should not entertain such a request. However, learned Advocate for the Applicant and learned Advocate General and other Advocates for the Respondents have made it clear that there will be no problem because they would rely upon the notes, which will be taken by the Members of this Tribunal and will not dispute the same. We also find it essential to mould the procedure in accordance with Section 19 of the NGT Act, 2010, having regard to peculiar situation of the present case, because it is necessary to examine whether there are parcels of two lands and what kind of activity the Tourism Department intends to undertake through the contractor/commissionaire and whether activity would cause any damage to environment as averred in the Application. Since learned Advocates for the parties are present and learned Advocate General states that the State will make required arrangements, we find that no separate arrangements are required to be directed at cost of private parties for execution of commission, which is not objected by any of the party. The work of commission may be executed on 8th August, 2015, which will be between 4.00 p.m. to 6.00 p.m.

....., JM
(Justice V. R. Kingaonkar)

....., EM
(Dr.Ajay A. Deshpande)

Date 9th July, 2015.