

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

APPLICATION NO.31 (THC)/2013 (WZ)
Vijay Govindrao Vaidya Vs Union of India & Ors

CORAM: HON'BLE MR JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER

Present: Applicant/ Appellant : Mrs. F.M.Mesquita Adv
(Amicus Curie)

Respondent No.1 : Ms Shugta Bhusar Adv

Respondent No.3 : A.S.Mulchandani AGP

Respondent Nos.4 : D.M.Gupte Adv
Mrs. Supriya Dangare Adv

Respondent No.5 : Vilola Khaladkar

Respondent Nos. 7 to 10 : Holding for Kedar Deshpande Adv

Date and Remarks	Orders of the Tribunal
Item No.2 February 25, 2014 Order No.4	<p>We have heard Mrs.F.M.Mesquita, Advocate, appointed as Amicus Curie for the Applicant.</p> <p>Learned Advocate appearing for Respondent Nos.7 to 10 submits that Writ Petitions are pending before the Hon'ble High Court of Bombay, Bench at Nagpur against the order rendered by the Respondent No.11, (Collector) and it would be appropriate to await decision of the said Writ Petitions. We do not agree, inasmuch as subject of those Writ Petitions and that of present Application are quite different in nature, texture and substance.</p> <p>Mr A.S. Mulchandani, learned AGP, appears for the Respondent No.3 and waives service for Respondent No.11. He seeks time to get instructions. He states that concerned officer has approached him today only and therefore proper instructions are required to be obtained.</p> <p>Mr. Gupte, learned Advocate, appears for Respondent No.4, and Ms.Shugta Bhusar leaned Advocate appears for Respondent No.1.</p> <p>We have noticed that the MPCB, has not furnished details about action taken from 2012 till the date, steps taken for rectification as well as further directions needed under the Air Act inspite of directions under the order of this Tribunal as given vide January 21, 2014. We deem it proper, therefore, to direct that the Regional Officer of the MPCB, Chandrapur (Mr.A.N.Harshavardhan), shall personally remain present in the Tribunal, along with the relevant files and shall file additional affidavit, indicating the steps taken by the MPCB for correctional</p>

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measures and implementation of the directions under the Air Act, or otherwise. His failure to remain present may be viewed seriously.

The Advocate for MoEF, Ms.Shugta Busar, states that she desires to file an Application for striking out name of the MoEF. She is at liberty to file such Application in the Registry. Mr Vilola Khaladkar, representing administration of School i.e. Respondent No.5, is also present in person. The grievance of Respondent No.5, is that the pollution is continuous and therefore, hearing may be expedited.

By way of last chance we schedule the matter on 12th March, 2014, for final hearing. We make it clear that pendency of Writ Petitions in the Hon'ble High Court will not be a ground for any adjournment.

Stand over to 12th March, 2014.

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

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

