

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

(By Video Conferencing)

Original Application No.11/2018(WZ)

Amir Shaikh & Ors.

Applicant(s)

Versus

Haji Ali Dargah Trust & Ors.

Respondent(s)

Date of hearing: 18.07.2022.

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant(s): None Present

Respondent(s): Mr. Shaikh Mohd. Ahmed Taher, officer from the side of R-1
Ms. Mansi Joshi with Ms. Pooja Natu, Advocates for R-2
Mr. Sameer Khade, Advocate for R-5

ORDER

1. None appeared from the side of Applicant.
2. Representative of Respondent No.1 Sh. Shaikh Mohd. Ahmed Taher has appeared though his Counsel has not appeared.
3. We also have the presence of Ms. Mansi Joshi, Learned Counsel representing Respondent No.2 and Mr. Sameer Khade, Learned Counsel representing Respondent No.5.
4. The Learned Counsel for Respondent No.5 has provided a hard copy of the reply affidavit which is taken on record.

5. We find from the perusal of the contents of the affidavit filed earlier by Respondent Nos. 1 and 2 that some steps have been taken by the Respondent No.1 in order to meet the challenges of controlling pollution but it would be in the interest of justice to call for a report regarding current status and for that we deem it proper to constitute a Committee comprising of the following:-

(i) One Representing from the Maharashtra Pollution Control Board(MPCB);

(ii) One Representing from the Maharashtra Coastal Zone Management Authority(MCZMA);

(iii) One Representing from the Municipal Corporation of Greater Mumbai.(MCGM)

6. The Committee shall conduct the spot inspection in presence of the representative of Respondent No.01 and the Applicant, if available and submit the current position with regard to the complaints which have been raised in the Application. The Committee may also propose future action plan to keep the place clean. The Maharashtra Pollution Control Board (MPCB) will be the nodal agency for coordination and logistic support.

7. The report in the matter be filed by the Committee within four weeks by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

8. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within a week.

9. Parties shall exchange pleadings with each other so that no adjournment needs to be granted on the next date.

10. Put up with the report on 25.08.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 18, 2022
Original Application No.11/2018(WZ)
JG