

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

M.A. No.20/2023/EZ

In

Original Application No.01/2023/EZ

Dr. Bibhu Dash & Anr.

Applicant(s)

Versus

Bhubaneswar Municipal Corporation & Ors.

Respondent(s)

Date of hearing: 05.02.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : *Suo Motu*

For Respondent(s) : Mr. Tarun Patnaik, ASC for R-3,4,5,9,10&12 (in Virtual Mode),
Ms. Papiya Banerjee Bihani, Adv. for R-3 (in Virtual Mode),
Mr. Rajib Ray, Advocate for R-1 (in Virtual Mode),
Mr. Apurba Ghosh, Advocate for R-6 (in Virtual Mode),
Mr. Kallol Basu, Advocate for R-8 (in Virtual Mode)

ORDER

1. Affidavit dated 18.10.2023 has been filed by Respondent No.3, Odisha State Pollution Control Board; the same is taken on record.
2. In this affidavit, it is stated that the STP cannot be constructed because the sewage outflow of Manorama Estates Welfare Society to their system cannot be connected since Manorama Estates is situated in a low-lying area and due to gravity the sewage flow cannot be connected to the STP. The affidavit also mentions that Manorama Estates has already been informed by the State Pollution Control Board vide letter dated 09.10.2023 that a pumping station is required to be constructed in the premises of the Manorama Estates and sewage can be pumped to nearby sewerage system at Durga Mandap, Bomikhal, Bhubaneswar.

3. The Manorama Estates Welfare Society was directed to be served the notice of the present proceedings by Mr. Tarun Patnaik, learned Additional Standing Counsel.
4. Manorama Estates Welfare Society and Water Corporation of Odisha (WATCO) were also directed to file their counter-affidavits within three weeks.
5. Mr. Tarun Patnaik, learned Additional Standing Counsel has not filed the affidavit of service on Manorama Estates Welfare Society through its President. Learned Counsel shall take steps for service of notice upon Manorama Estates Welfare Society within one week and file affidavit of service.
6. The Office of the Tribunal is also directed to issue notice to the President of Manorama Estates Welfare Society, Bomikhal, Bhubaneswar, Odisha-751007 which is the address given in the letter of State Pollution Control Board, Odisha, within 48 hours.
7. Mr. Patnaik informs that Mr. P.K. Bhuyan is the Counsel for WATCO and he has informed him about the case today but he is stated to be hospitalized.
8. Be that as it may, WATCO is granted further three weeks time for filing counter-affidavit.
9. Manorama Estates Welfare Society may also file his counter-affidavit within three weeks.
10. **List on 18.03.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

February 05, 2024,
M.A. No.20/2023/EZ
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