

Item No.5

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Execution Application No.04/2022(WZ)  
In  
Appeal No.25/2014(WZ)**

Sarang Yadvadkar & Anr.

.....Applicant

*Versus*

The State of Maharashtra

....Respondent

Date of hearing: 15.09.2023

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

Applicant : Applicants in-person

Respondent : Ms. Shakuntala Wadekar, Advocate

**ORDER**

1. In compliance with our previous order dated 06.09.2023, the learned Counsel for respondent has filed reply affidavit dated 12.09.2023, where-in, in para no.(3), it is clarified that the work of demarcation of blue flood line and red flood line along the river length of 289.4 kms. has been done and details are given in Exhibit-B thereof, which is in addition to the earlier work done.

2. The Exhibit-B indicates that in District: Akola, two rivers Morna and Vidrupa are flowing and the demarcation of 12 kms. and 8 kms. is in progress, which would be completed by September- 2023.

3. In para no.4 of the said affidavit, it has been submitted that considering occurrence of flash floods, cloud burst and heavy rainfall in recent years between 2019 to 2022 in Dhule, Nandurbar and Jalgaon Districts, the procedures for marking the blue flood line and red flood line

in these three Districts are in progress. But no timeline has been given as to by when the said work would be completed. Therefore, we fix four months' period timeline as an outer limit to finish the task.

4. Our attention is drawn by the applicants to page no.194 of the paper book, which contained a news item, that heavy rains lashed Jalgaon area, 5<sup>th</sup> time in 30 days has been mentioned. In the light of this, it is urged by the applicants that it is wrong submission by the learned Counsel for respondent that Jalgaon region is not flood prone area. Besides that, it is also stated by the applicants that they want to file rejoinder against the affidavit filed by the respondent No.1 because several averments made therein need to be rebutted and the applicants have also to study as to what are the 1<sup>st</sup> priority and 2<sup>nd</sup> priority rivers and as to how the classification of the same has been done. We grant the applicants four weeks' time to file the same.

Put up this matter for final hearing on 06.02.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

September 15, 2023  
Execution Application No.04/2022(WZ) In  
Appeal No.25/2014(WZ)  
P.Kr