

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

APPLICATION NO.4/2014 (WZ)

AamAadamiLokmanch&AnrVs.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 : P.P.GoelAdv  
Respondent No.2 : S.B.Vaidya Law officer  
Respondent No.3 : P.M.Joshi, Executive Enggr PMC  
Respondent No.4 : A.C.PotdarAdv holding for  
AmolPatayeetAdv  
Respondent Nos.5,6 : RupaliNikam holding for  
A.N.MisalAdv**

Date and Remarks	Orders of the Tribunal
<b>Item No. 5 September 15, 2014 Order No.12</b>	<p>Heard the Applicant Mr.Goel, in person.</p> <p>Mr.Mulchandani, learned AGP, is absent. We have been informed that Mr.Mulchandani, is not instructed by the Respondent Nos.1 and 2, and hence he could not prepare reply affidavit. S.B.Vaidya, Law officer of the Collector office is present in person. She states that communications have been made to the Authorities and reply affidavit will be ready in couple of days. She undertakes to file reply affidavit within two (2) days.</p> <p>Mr.A.C.Potdar, learned Counsel, holding for Mr.Patayeet Advocate, states that he has filed the reply affidavit. Ms.RupaliNikam Advocate, holding for Mr.A.N.Misal Advocate, appears for the Respondent Nos.5 and 6, but has not filed reply affidavit, though has filed certain documents. We make it clear that if no reply affidavit is filed by the Respondent Nos.5 and 6, then the Application will be heard without their reply affidavit.</p> <p>By way of last chance, we grant time to the Respondent Nos.1 to 3 to file reply affidavit within period of one (1) week and if no such reply affidavit is filed, we make it clear that heavy costs will be imposed besides taking coercive action, including issuance of Warrant or issuing Notices for non-compliance of the order for penal action under Section 26 of the NGT Act, or under Section 188 of IPC, or for Contempt of Court, as the case may be. The parties shall take note of the fact that in case of non-compliance, irrespective of stature, no hesitation will be there in taking appropriate action, in view of the fact that daily continuity of hill cutting and cutting of trees is being reported by the Applicant, as well as other Advocates.</p> <p style="text-align: center;"><b>Stand over to 22<sup>nd</sup>September, 2014.</b></p> <p style="text-align: right;">....., <b>JM</b> <b>(Justice V. R. Kingaonkar)</b></p> <p style="text-align: right;">....., <b>EM</b> <b>(Dr.Ajay A. Deshpande)</b></p>