

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

O.A. No. 133/2015/EZ

Susanta Kumar & Anr.

VS

THE CHAIRMAN, W.B. POLLUTION CONTROL BOARD & ORS

CORAM: **Hon'ble Mr. Justice Pratap Kumar Ray, Judicial Member**
 Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: **Applicant** **: Mr. Prasanta Kumar Pakrashi, Advocate**
 Respondent Nos. 1 to 13 **: None.**

Date & Remarks	Orders of the Tribunal
Item No.1 13th January, 2016.	<p style="text-align: center;">Heard Id. Counsel appearing for the applicant.</p> <p>It is alleged in this application that the Private Respondent Nos. 6 to 11 are cutting the mango trees without any permission from the competent authority under the West Bengal Trees (Protection & Conservation in Non-Forest Areas) Act 2006. A representation to this effect was made by the applicants before the BDO, Singur, District Hooghly which is annexed as Annexure-A1 at page 11 of this application wherefrom it appears that the applicants have no right and title over the property and they were in possession of the property adversely and subsequently they have been ousted from the said property by one Sri Samir Das and Smt. Ruchira Kumar viz. Respondent Nos..8 & 7, who are the owners of the property. It is alleged that owners are cutting</p>

those mango trees whose age are varying from 25 to 30 years. A complaint was also lodged before the Officer-in-Charge, Singur P.S. From the relevant document annexed it appears that a title suit No.9664/2014 is pending before the Second Court of Civil Judge (Senior Division), Hooghly, Chinsurah praying declaration of title and injunction against Respondent Nos. 5 to 7.

Having regard to the fact that already a civil suit is pending wherefrom appropriate relief may be obtained by the applicants as per law if he succeeds, we are not inclined to entertain this application. **The application accordingly stands dismissed.** No order is passed as to costs.

Justice Pratap Kumar Ray, JM

Prof. (Dr.) P. C. Mishra, EM