BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA

Appeal No. 10/2014/EZ

Dharanidhar Mohapatra Vs MoEF & Ors.

CORAM: Hon'ble Justice Dr. P. Jyothimani, Judicial Member

Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: Appellant: Mr. Rupak Ghosh & Ayan Kumar Boral,

Advocates

Respondent 1,2,3 & 4 Not present

Respondent 5 Ramakrishna Sahu, A.D.M., Paradeep

Respondent 6 Ms. Sohini Adhikary, Advocate

Date & Remarks	Orders of the Tribunal
15	
Item No. 2	
August 5, 2014	We have heard the learned counsel appearing for the appellant
	as well as the Project Proponent. The learned counsel appearing
	for the Appellant insists for a stay of Environment clearance
~ A E	granted by the 2 nd respondent. He submits that when once the
	consent to operate is granted by the State Pollution Control
9	Board, project starts operating causing much damages to the
SIE	environment and people would be affected.
1/18	
	On the other hand the learned counsel appearing for the Project
2	Proponent seeks time to file its reply before the next date of
	hearing. The counsel for the Project Proponent stated that they are
3	yet to obtain the consent to operate from the Odisha Pollution
	Control Board. However, there is no representation on behalf of
	the Odisha Pollution Control Board to inform about the stage.
	We make it clear that in as much as consent to operate has not
	yet been issued there is no necessity for any anxiety to the
	Appellant at this stage. We make it clear that once the Pollution
	Control Board issues consent to operate, a copy of the said order
	shall be given to the counsel for the appellant in addition to the
	Project Proponent. We make it clear that in such an event it is
	always open to the appellant to make mention before this tribunal.
	The learned counsel appearing for the respondents shall file their

reply within 2 weeks after serving copy of the same to the learned counsel appearing for the other side. Learned counsel appearing for the appellant can file rejoinder within one week thereafter. We make it clear that the matter will be taken for final hearing on the next date of hearing. We direct the learned counsel for the State Pollution Control Board and the State Environment Impact Assessment Aurhority (SEIAA) to be present on the next date of hearing.

Stands over to 28/08/2014

Dr. P. Jyothimani, JM

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