

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Original Application No. 17/2014/PB/10/EZ
Sanjay Sinha Vs State of Bihar & Ors.**

CORAM: Hon'ble Justice Dr. P. Jyothimani, Judicial Member
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT

Applicant : Mr. Sankar Prasad Pani, Advocate

Respondent 1 & 4 : Mr. R. N. Das, Senior Advocate
Mr. Binod Kumar Gupta
Ms. Aishwarya Rajyashree, Advocates

Respondent 2 : Mr. Kumar Ravish, Advocate

Respondent 3 : No appearance

Respondent 5 : Mr. Kuldip Narayan, Commissioner of Patna
Municipal Corporation (in person)

Respondent 6 : Mr. Gora Chand Roy Chowdhury, Advocate

Date & Remarks	Orders of the Tribunal
Item No. 1 September 1, 2014	Pursuant to the earlier order issued by this Tribunal dated 30.07.2014, the Commissioner of Patna Municipal Corporation is present before this Tribunal. He has also made an elaborate submission about the Master Plan being prepared by the Patna Municipal Corporation and it is in final stage. He has also made clear that there is a Patna Protection Wall constructed by the Irrigation Department and Municipal Corporation is taking action on the construction of Buildings beyond this wall. He further submits that 12 private buildings have come up in the said area

and further construction has been stopped. 3 cases are pending before the Patna Municipal Corporation in respect of the unauthorised building in the area. He would also submit that insofar it relates to P and M Mall, the said mall constructed by the private party is not within the jurisdiction of the Patna Municipal Corporation and it is within the Bihar Industrial Area Development Authority represented by the Managing Director who is the competent authority. Considering the submission made by the learned counsel appearing for the applicant we direct the Commissioner of Patna Municipal Corporation who intends to be represented by the counsel to file its reply to enable this Tribunal to pass further orders.

As per the earlier order made by this Tribunal the SEIAA has filed its response to the application. The learned counsel appearing for the applicant seeks time to file rejoinder if any. Learned senior counsel Mr. R. N. Das appearing for the State of Bihar along with Mr. Binod Kumar Gupta & Ms. Aisharya Rajyashree has already filed reply.

Considering the abovesaid submission made by the Commissioner, Patna Municipal Corporation we are of the view that the Managing Director, Bihar Industrial Area Development Authority (BIADA) shall be made as a party respondent. Accordingly, We implead the Managing Director, BIADA as respondent 7. Registry should make necessary amendment in this regard and shall issue notices to the counsel by registered post with acknowledgement due returnable by the next date of hearing. We request the Chairman, Patna Municipal Corporation

to assist the Tribunal whenever required. He undertakes to represent through counsel and render necessary assistance. Learned counsel appearing for the State of Bihar shall file some of the documents and seek time to file the documents in the registry after serving copies to the learned counsel appearing for the other sides on the next date of hearing.

Stand over to 22.09.2014

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Dr. P. Jyothimani, JM

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

