

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

APPLICATION NO.14 /2013 (WZ)

Smt. Lalita Shinde & Anr Vs. Trimbakeshwar Mun. Council & Ors

CORAM: HON'BLE MR JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER

HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER

Present: Applicant/ Appellant : Pravartak Pathak Adv
Respondent Nos. 1,2 : Sudhir S.Kotwal Adv
Respondent No. 3 : Supriya Dangre Adv
Respondent No.4 : A.S.Mulchandani, AGP
Respondent No.5 : Shweta Busar Adv
Intervener : N.P. Bhausar Adv holding for Shailesh S. Kharat Adv

| Date and Remarks | Orders of the Tribunal |
|--|---|
| Item No.5 March 12, 2014 Order No.4 | <p>We have heard learned Counsel for the Applicant. He ventilated grievance that the Applicant No.1, is subjected to harassment by Anti-social elements.</p> <p>The Collector of Nashik is present in person. The Collector assures that all the care will be taken to ensure safety of the Applicant and due protection will be provided to the Applicant No.1. The Collector further assures that steps will be taken to ensure implementation of preventive action plan, having regard to ensuring 'Khumbha Mela' likely to be organized in Nashik</p> <p>The Respondent No.3, has filed affidavit of Mr Ashish Fulse, Regional officer, along with feasibility report of the College of Engineering Pune (CoEP). The Report, however, shows that it is interim report and further period of four (4) weeks is sought to file final report. The Counsel for the Respondent No.3, states that such final report will be submitted by next date along with the approval of MPCB along with action plan, which may be drawn for implementation of such report. We direct MPCB to prepare action plan on the basis of approved report and give details of steps which will be taken to implement such plan.</p> <p>Mr Kotwal, learned Counsel for the Respondent Nos.1 and 2, states that reply affidavit is already filed, therefore, the District Collector, need not appear in person on next date. The Superintendent Engineer,- Respondent No.4, is said to be filing reply affidavit through Mr A.S. Mulchandani, AGP, who is present. Reply affidavit may be filed as sought. The learned Counsel for the Respondent No.5, seeks time to file reply affidavit. We grant two (2) weeks time to file such reply affidavit.</p> <p>Mr N.P.Bhavsar, learned Counsel has filed Intervention Application No.28/2014, through Mr. Kharat Advocate. We have</p> |

Item No.5
March 12,
2014
Order No.4

considered the same. The Intervention Application is allowed. The intervener may file his reply affidavit in the main Application. The Applicant shall join the intervener as Respondent. It is, however, made clear that if any such Intervention Application is likely to be filed henceforth, in order to delay proceeding, we will be constrained to decline the request to join such third party, saying that present Intervener will be representative of such Interveners and the futuristic Interveners will be only permitted to make their written submissions in the matter, without addressing the Tribunal or without filing reply affidavit or without joining main Application.

Stand over to 15th April, 2014.

.....,JM
(Justice V. R. Kingaonkar)

....., EM
(Dr.Ajay A. Deshpande)

