

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

**M.A. 245/2016/EZ
IN
Original Application No. 02/2015/EZ**

M/S SRI DURGA BRICK FIELD

**VS
Joydeep Mukherjee & Ors**

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

PRESENT: **Applicant : None
Applicant of MA : Mr. Somenath Ghosal, Advocate
Mr. Ananda Gopal Maity, Advocate
Respondent No. 1 : Mr. Sibojyoti Chakraborti, Advocate
Respondent Nos. 2 -7 : Mr. Bikas Kargupta, Advocate**

Date & Remarks	Orders of the Tribunal
Item No. 5 29th February, 2016.	<p style="text-align: center;">Heard Id. Advocates for the parties present.</p> <p>In this MA, a prayer has been made by the applicant for addition of party in OA 02/2015/EZ. Ld. Adv. for the applicant submits that the owner of the applicant brick field received a closure order from the DL & LRO which was issued on 7th August 2015. Subsequently, a show cause notice was also received by the owner of the brick field from the said DL & LRO in December 2015 which was purportedly issued in terms of the order of this Tribunal dt. 16.7.2015.</p> <p>Having regard to the submission made, we find that the applicant is a necessary party in the main proceeding and accordingly, the prayer for addition of party is allowed. Registry to amend the cause title and allot a respondent Number in respect of this applicant in the OA.</p> <p>Ld. Adv. for the applicant submits that the owner of the brick field is willing to pay the penalty as may be fixed by this Tribunal for illegally operating the brick field without any consent to operate from the PCB and he intends to file a separate MA to that effect. He is</p>

granted leave to do so.

In the meantime, the Superintendent of Police, East Midnapore is directed to make physical verification of the brick field in question and submit a report on the issue whether the unit is closed or is operating without consent from PCB, despite closure order, and if it is operating without consent, the number of bricks manufactured and number of unsold bricks lying in the respective brick field areas and if it is closed the date from when it is closed. Such report be filed within two weeks.

Registry to communicate this order to the Superintendent of Police of West Midnapur immediately. Mr. Kargupta, Id. adv. is also directed to communicate this order to the SP, West Midnapur.

MA 245/2016/EZ stands disposed of.

.....
Justice Pratap Kumar Ray, JM

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

