

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

Original Application No. 82/2015/EZ

BIRANCHI NARAYAN MAHAPATRA  
VS  
STATE OF ODISHA & ORS

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

PRESENT: Applicant : Mr. Biranchi Narayan Mahapatra, in person.  
Respondents No. 1& 2 : Mr. Pravat Kumar Muduli, Addl. Standing Counsel  
Respondent No. 3 : Ms. Papiya Banerjee Bihani, Advocate  
Respondent No. 4 : None.  
Respondent No.5 : Mr. Rama Chandra Pasupalak, Advocate

Date & Remarks	Orders of the Tribunal
Item No. 8 8 <sup>th</sup> September, 2016.	<p>Mr. Rama Chandra Pasupalak, Ld. Advocate who appears for Respondent No.5, prays for leave to place on record the status on the action taken as directed vide order dated 2.08.2016.</p> <p>Prayer is allowed.</p> <p>Let action taken report be taken on record.</p> <p>Mr. Mahapatra, the applicant appearing in person submits that he has just received the copy of the action taken report and also prays that the supplementary affidavit filed by him on 29.08.2016 giving details of the persons who have encroached the tank embankments be taken on record. It is stated that</p>

copies have been handed over to the other side.

**List on 25.10.2016 for final disposal.**

We have fixed the next date on 25.10.2016 considering the averments made by the Respondent No.5, viz., Municipal Commissioner, Brahmapur Municipal Corporation, in paragraph 4 of the affidavit filed on 08.09.2016 and taken on record today where it has been categorically stated that for various reasons the compliance of direction has not yet been complied with "but as soon as the rainy season is over all the encroachments on the embankments of tanks will be evicted."

Since, as per Mr. Pravat Kumar Muduli, Addl. Standing Counsel and the other counsel appearing before us submit that rainy season is likely to continue upto middle of October, we have fixed the matter on 25.10.2016. By that date, we expect that, as stated by them, all encroachments shall be removed by the Brahmapur Municipal Corporation.

An affidavit of compliance shall be filed by the

	<p>Respondent No.5 on or before the next date with copies on the other side.</p> <p>.....</p> <p>Justice S.P.Wangdi, JM</p> <p>.....</p> <p>Prof. (Dr.) P. C. Mishra, EM</p>
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