

Sagardeep Sirsaikar vs Goa Coastal Zone Management Authority on 31 July, 2023

Item No.6

(Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

ORIGINAL APPLICATION NO.05 OF 2023 (WZ)

Sagardeep Sirsaikar

.... Applicant

Versus

GCZMA & Ors.

.... Respondents

Date of Hearing : 31.07.2023

CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER

Applicant

: Mr. Aagney Sail, Advocate

Respondents

: Ms. Supriya Dangare, Advocate for R-1
Mr. S.S. Kantak, Sr. Advocate along with
Mr. Shivshankar Swaminathan, Advocate
for R-2 to R-5

ORDER

1. From the side of the applicant, learned counsel Mr. Aagney Sail has appeared.
2. From the side of respondent No.1 - GCZMA, learned counsel Ms. Supriya Dangare has appeared and states that the reply has been prepared which is pending with the Department for approval. She seeks further time of two weeks. The same is allowed.
3. From the side of respondent Nos.2 to 5, learned Senior Counsel Mr. S.S. Kantak along with learned counsel Mr. Shivshankar Swaminathan have appeared and moved I.A. No.161 of 2023 with the prayer that the Original Application should be dismissed since the subject matter is being monitored by the Hon'ble High Court of Bombay at Goa in PIL Suo Moto Writ Petition No.02 of 2022. The learned counsel for the applicant submits that he has received copy of the said I.A. yesterday only. Therefore, he seeks time to file the reply to the I.A., which is allowed. He may file the reply within two weeks, with a copy thereof to the learned counsel for respondent Nos.2 to 5 and

other parties.

4. From the side of respondent No.7 - National Coastal Zone Management Authority (NCZMA), none has appeared despite sufficient service. We deem it appropriate that the said Authority be got served through the Secretary, MoEF&CC as the reply from their side is very essential because there are no guidelines prescribed by the NCZMA so far for calculating the environmental damage compensation in coastal area. Therefore, we direct the Registry to send a letter to the Secretary, MoEF&CC apprising therein that despite sufficient service, none has appeared before this Tribunal from the side of respondent No. 7 - NCZMA. Therefore notice be got served through them and that the MoEF&CC shall ensure that NCZMA shall appear before us on the next date positively.

5. We direct that the NCZMA - respondent No.7 shall submit its reply within four weeks.

6. The parties shall exchange their respective pleadings among themselves so that no further adjournment will be required to be granted.

7. Put up this matter for next consideration on 27.09.2023.

Dinesh Kumar Singh, JM Dr. Vijay Kulkarni, EM July 31, 2023 O.A. No.05 OF 2023 (WZ) npj