

## Bnp Singh vs District Magistrate on 31 May, 2021

Item No. 01

Court No.1

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(Through Video Conferencing)

Original Application No. 85/2020/EZ  
(I.A. No. 86/2020/EZ)

Wing Commander (Retd.)  
Dr. Bishwanath Prasad Singh

Applicant(s)

Versus

District Magistrate, Saran, Bihar & Ors.

Respondent(s)

Date of hearing: 31.05.2021

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s) : Dr. Bishwanath Prasad Singh, Applicant  
in person

For Respondent(s) : Ms. Amrita Pandey, Advocate for Bihar  
PCB  
Mr. Surender Kumar, Advocate for R-1  
(State of Bihar)

ORDER

1. Heard Dr. Bishwanath Prasad Singh, applicant in person.

Ms. Amrita Pandey counsel appears on behalf of Respondent No. 4, Bihar State Pollution Control Board and Mr. Surender Kumar Standing counsel for the State of Bihar is present for the District Magistrate, Saran, Chapra, Bihar, Respondent No. 1.

2. This original application has been filed by the applicant with the allegation that the respondents have undertaken the construction of National Highway (NH)-19 between Chapra town and Hazipur for the up gradation of a 4 lane highway in the year 2010 but the work has not been completed till date. It is alleged that several crores of rupees have been spent on it and at present the budget has been inflated from 500 crores to 900 crores rupees.

3. The submission of the applicant is that the road widening is between Sherpur (Chapra town end) and Jhausa village and construction of new alignment between Jhausa village to Gandak bridge situated at Hazipur.

4. The submission is that due to non-construction and non-

pavement of the road, the same is covered with dust and is causing a lot of environmental pollution and degradation due to dust flying all over affecting about 79 villages having 22 Community Centers and Schools. The photographs of the portion of the road have been filed as Annexure along with this original application.

5. In our view, the matter requires consideration.

6. The Respondent No. 1 and Respondent No. 4 are already represented through their counsel and therefore they are directed to file their counter affidavit positively before the next date of listing.

7. Issue notice to the Respondent No. 2-Project Director, NH-19, Chapra, returnable within two weeks.

8. Respondent No. 2 shall also file his counter affidavit by the next date of listing.

9. At this stage, we are not issuing notice to the Respondent No. 3 who is stated to be the Contractor In-charge of the Construction of the National Highway.

10. Ms. Amrita Pandey counsel for Respondent No. 4 and Mr. Surender Kumar counsel for Respondent No. 1 both states that they have not been received the e-copy of the original application. The applicant shall provide e-copy of this original application to the respondents within one week.

11. List this matter on 02.07.2021.

..... B. Amit Sthalekar, JM ..... Saibal Dasgupta, EM May 31, 2021  
Original Application No. 85/2020/EZ (I.A. No. 86/2020/EZ) MN