

Smt. Dhruba Dasgupta D/O Amitava Das ... vs Ministry of Environment Forest & ... on 30 July, 2021

Item No. 06

Court No.1

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

Original Application No. 78/2016/EZ
(I.A. No. 28/2021/EZ)

Society for Directive Initiative for Social & Health Action

Applicant(s)

Versus

MoEFCC & Ors.

Respondent(s)

Date of hearing: 30.07.2021

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

For Appellant(s) : Not present

For Respondent(s) : Mr. Ashok Kumar Banerjee, Sr. Advocate a/w Mr. Sibojyoti Chakraborty, Advocate for R-7
Mr. Gora Chand Roy Chowdhury, Advocate for R-1 & 2
Mr. Bikas Kargupta, Advocate for R-3,4,5 and 9
Mr. Dipanjan Ghosh, Advocate for R-6
Ms. Paushali Banerjee, Advocate for R-8

ORDER

1. Mr. Rahul Ganguly, learned Counsel for the Applicant is not present.

2. Mr. Ashok Kumar Banerjee, learned Senior Counsel assisted by Mr. Sibojyoti Chakraborty, learned Counsel for Respondent No.7-Kolkata Municipal Corporation, Mr. Gora Chand Roy Chowdhury, learned Counsel for Respondent No.1-Ministry of Environment, Forests and Climate Change and Respondent No.2-Central Wetland Management Authority, Mr. Bikas Kargupta, learned Counsel for Respondent No.3- East Kolkata Wetlands Management Authority, Respondent No.4- Department of Environment, Government of West Bengal, Respondent No.5-Chief Secretary, Government of West Bengal and Respondent No.9- Irrigation, Government of West Bengal and Mr. Dipanjan Ghosh, learned Counsel for Respondent No.6-West Bengal Pollution Control Board and Ms. Paushali Banerjee, learned Counsel for Respondent No.8-Kolkata Metropolitan Development

Authority are present.

3. Mr. Bikas Kargupta, learned Counsel appearing for the State Respondent informs that he has been informed by Mr. Rahul Ganguly that the said Counsel has some personal problem and, therefore, will not be able to appear today and has requested for an adjournment and it is also pointed out that the Applicant has filed an affidavit.

4. We accordingly adjourn this matter for today.

5. We, further direct the learned Counsel for the Applicant to file a short statement/summary crystallizing the issues involved in the present case and also pointing out what issues have already been settled and have thereby become infructuous and what issues remain to be decided since the matter has been pending in the Tribunal since 2016 and lot of water has flown since then.

6. Mr. Rahul Ganguly will also communicate his short statement/summary to all the learned Counsel for the Respondents at least one week before the next date fixed.

7. List on 26.08.2021.

..... B. Amit Sthalekar, JM

Saibal Dasgupta, EM July 30, 2021 O.A. No. 78/2016/EZ I.A. No. 28/2021/EZ MN Item No. 06 Court No.1 BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA (Through Video Conferencing) Original Application No. 78/2016/EZ (I.A. No. 28/2021/EZ) Society for Directive Initiative for Social & Health Action Applicant(s) Versus MoEFCC & Ors. Respondent(s) Date of hearing: 30.07.2021 CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER For Appellant(s) : Not present For Respondent(s) : Mr. Ashok Kumar Banerjee, Sr. Advocate a/w Mr. Sibojyoti Chakraborty, Advocate for R-7 Mr. Gora Chand Roy Chowdhury, Advocate for R-1 & 2 Mr. Bikas Kargupta, Advocate for R-3,4,5 and 9 Mr. Dipanjan Ghosh, Advocate for R-6 Ms. Paushali Banerjee, Advocate for R-8 ORDER

1. Mr. Rahul Ganguly, learned Counsel for the Applicant is not present.

2. Mr. Ashok Kumar Banerjee, learned Senior Counsel assisted by Mr. Sibojyoti Chakraborty, learned Counsel for Respondent No.7-Kolkata Municipal Corporation, Mr. Gora Chand Roy Chowdhury, learned Counsel for Respondent No.1-Ministry of Environment, Forests and Climate Change and Respondent No.2-Central Wetland Management Authority, Mr. Bikas Kargupta, learned Counsel for Respondent No.3- East Kolkata Wetlands Management Authority, Respondent No.4- Department of Environment, Government of West Bengal, Respondent No.5-Chief Secretary, Government of West Bengal and Respondent No.9- Irrigation, Government of West Bengal and Mr. Dipanjan Ghosh, learned Counsel for Respondent No.6-West Bengal Pollution Control Board and Ms. Paushali Banerjee, learned Counsel for Respondent No.8-Kolkata Metropolitan Development Authority are present.

3. Mr. Bikas Kargupta, learned Counsel appearing for the State Respondent informs that he has been informed by Mr. Rahul Ganguly that the said Counsel has some personal problem and, therefore, will not be able to appear today and has requested for an adjournment and it is also pointed out that the Applicant has filed an affidavit.

4. We accordingly adjourn this matter for today.

5. We, further direct the learned Counsel for the Applicant to file a short statement/summary crystallizing the issues involved in the present case and also pointing out what issues have already been settled and have thereby become infructuous and what issues remain to be decided since the matter has been pending in the Tribunal since 2016 and lot of water has flown since then.

6. Mr. Rahul Ganguly will also communicate his short statement/summary to all the learned Counsel for the Respondents at least one week before the next date fixed.

7. List on 26.08.2021.

..... B. Amit Sthalekar, JM

Saibal Dasgupta, EM July 30, 2021 O.A. No. 78/2016/EZ I.A. No. 28/2021/EZ MN