

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.157/2022/EZ
(I.A. No.07/2023/EZ)

Pratap Chandra Mohanty & Ors. Applicant(s)
Versus

State of Odisha & Ors. Respondent(s)

Date of hearing: 20.04.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate (in Virtual Mode)

For Respondent(s): Mr. Dayananda Mohapatra, Adv. for R-3 (in Virtual Mode),
Mr. Rajib Ray, Adv. for R-4 (in Virtual Mode),
Mr. Tarun Patnaik, ASC for R-1,2,5,9 & 10 (in Virtual Mode),
Mr. Dipanjan Ghosh, Adv. for R-7,
Mr. Sanjay Upadhyay, Adv. a/w
Ms. Gitanjali Sanyal, Adv. for R-11

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel is present (in Virtual Mode) for the Applicants.
2. Additional affidavit dated 20.04.2023 has been filed by the Applicant; same is taken on record.
3. Counter-affidavit dated 19.04.2023 has been filed by the Respondent No.1, Deputy Director of Estate, G.A. & P.G. Department; same is taken on record.
4. Affidavit dated 19.04.2023 has been filed by the Respondent No.4, Commissioner of Bhubaneswar Municipality Corporation, Odisha; same is taken on record.
5. Learned Counsel for the Applicants prays for and is granted four weeks' time for filing his reply to the affidavits.

6. Mr. Dayananda Mohapatra, learned Counsel appearing (in Virtual Mode) states that he has filed counter-affidavit of the Bhubaneswar Development Authority. We are informed by the Office of the Tribunal that the same is 'in defect'. The Counsel may remove the defect and re-file the counter-affidavit within one week.
7. Mr. Pani, on the other hand, states that since E.C. has been issued by the Respondent No.6, State Environment Impact Assessment Authority, Odisha, the Respondent No.8, Ministry of Environment and Forests and Climate Change is not a necessary party and he may be permitted to delete the Respondent No.8, MoEF & CC. The learned Counsel for the Applicant is permitted to delete Respondent No.8 from the array of Respondents.
8. **List on 23.05.2023.**

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B. Amit Sthalekar, JM

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Dr. Afroz Ahmad, EM

April 20, 2023
Original Application No.157/2022/EZ
(I.A. No.07/2023/EZ)
BD