

Item No. 6

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

Original Application No. 74/2022 (WZ)

Navi Mumbai Environment Preservation Society

.....Applicant

Versus

City and Industrial Development Corporation
of Maharashtra & Ors.

....Respondent(s)

Date of hearing: 20.12.2022

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

Applicant : None appeared.

Respondent(s) : Shri Subodh Kantak, Senior Advocate along-with
Mr. Abhijit Gosavi, Mr. Samit Shukla,
Mr. Preetam Talavlikar and Mr. Shivshankar Swaminathan,
Advocates for R-1/CIDCO
Mr. Aniruddha Kulkarni, Advocate for R-2 & 3/Envtt. Deptt.
Mr. D. M. Gupte, Advocate for R-4/MoEF&CC

ORDER

1. From the side of Respondent No. 1/CIDCO, learned Senior Counsel Shri Subodh Kantak along-with learned Counsel Mr. Abhijit Gosavi, Mr. Samit Shukla, Mr. Preetam Talavlikar and Mr. Shivshankar Swaminathan have appeared. They provided us coloured copy of the CZMP Map of 2011 & 2019, depicting there-in the area, which is found to fall in buffer zone, where-in no permission for raising any construction can be granted and he assures that he would be filing an affidavit to the effect that in the e-tendering process, it would be made clear that the successful awardee would not be disturbing the buffer zone and that the same would be maintained by them. We direct the learned Counsel for the Respondent No. 1 to file the same within a period of one week with

the direction that a copy of the same shall be provided to the learned Counsel for the Applicant so that any rebuttal, if required, may be filed from its side.

2. From the side of Respondent No. 2/Maharashtra Coastal Zone Management Authority (MCZMA) and Respondent No. 3/State of Maharashtra through Environment Department, learned Counsel Mr. Aniruddha Kulkarni has appeared and apprised that reply affidavit has been filed from the side of Respondent No. 2, which is on record. He says that a letter dated 15.12.2022 is written by Under Secretary, Environment & Climate change, Deptt. addressed to the Director, National Centre for Sustainable Coastal Management, Anna University, Chennai, requesting there-in to provide CRZ map in 1:4000 scale superimposing the subject plot, in accordance with approved CZMP under CRZ Notification, 2011 and it is stated by the learned Counsel that the said information is still to be received and thereafter only, he would be filing the supplementary affidavit in the present matter for which he may be allowed 4 to 6 weeks' time. Accordingly, the said time is allowed.

3. From the side of Respondent No. 4/MoEF&CC, learned Counsel Mr. D. M. Gupte has appeared.

4. Today Applicant has not appeared but it appears that due to some confusion in today's cause list, he might not have appeared. We grant him one opportunity to argue this matter finally in respect of interim relief.

5. We direct the Registry to fix this matter for hearing on interim relief on 10.01.2023.

6. Parties shall have exchanged the pleadings among themselves before the next date so that no adjournment would be required in this matter.

7. We further direct that the interim stay order will continue till the next date.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 20, 2022
Original Application No. 74/2022 (WZ)
P.Kr