

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

Application No. 45/2016 (WZ)
M.A No. 93/2016 M.A No. 174/2017
M.A No. 253/2017
Bombay Environment Action Group Vs MoEFCC & Ors.

**CORAM: HON'BLE MR JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present: Applicant/Appellant : Mr Sanjay Upadhyay Adv a/w
Hema Ramani Adv
Respondent No.1 : Mr. Rahul Garg Adv
Respondent No.3 : Mr. Submit Chakrabarti Adv h/f
Mr Saket Mone Adv
Respondent No.4 : Mr. D.M.Gupte Adv
Respondent No.5 : Mr. Vilas A. Jadhav Adv
Respondent No.6 : Mr. Sunil Jadhav Adv h/f
Mr. K.D. Kelkar Adv
Respondent No.7 : Mr. Ajay Gadegaonkar Adv a/w.
Mr. Vilas Mahajan, Adv
Respondent No.8 : Ujwala Pawar DGP
Dr. Vijay Suryawanshi, Collector
Raigad
Intervener : Mr Sangramsing Bhonsale Adv
Aditee Dongrawant Adv
Intervener MA No.174/17 : Mr Aniruddha S. Kulkarni Adv

| Date and Remarks | Orders of the Tribunal |
|--|---|
| Item No. 11 August 10, 2017 Order No.17 | <p>Learned Counsel appearing on behalf of Respondent No.3-Mumbai Metropolitan Region Development Authority (MMRDA) seeks leave to file its response. Matter was proceeded <i>Ex-parte</i> against Respondent No.3 vide order dated 13th July, 2016.</p> <p>Learned Counsel appearing on behalf of the Applicant has no objection to set aside the order to proceed <i>Ex-parte</i> against Respondent No.3 subject to payment of costs. The order to proceed <i>Ex-parte</i> is set aside on payment of costs of Rs.10,000/- (Rs. Ten Thousand only) to the Applicant. Liberty granted to file its response. Let the reply be tendered in the Registry with copies to the Applicant.</p> <p>Bailable Warrant was issued for securing presence of the District Collector, Raigad before us. Dr. Vijay Suryawanshi, Collector of Raigad is present in person. Bailable Warrant is cancelled.</p> <p>Learned Counsel appearing on behalf of the State submits that the District Collector has placed facts regarding compliances of the directions issued before us on record vide affidavit dated 5th August, 2017. She submits that, 428 illegal contractions/structures were detected and</p> |

Item No. 11
August 10,
2017
Order No.17

erroneously the same have been quoted at para-4 as 203 illegal constructions, as per the Survey Report dated 4.5.2010. She further submits that, total 428 illegal structures detected were reported as per the letter dated 22.6.2017 from the Chief Officer of Matheran Hill Station Municipal Council vide Ex-X/8 and the said para needs to be read accordingly.

She submits that demolition action against the illegal structures has been halted on account of Status-Quo order passed by the Hon'ble High Court in the Petitions preferred by the holders of such structures.

List this case on 11th September, 2017.

....., JM
(Justice U.D.Salvi)

....., EM
(Ranjan Chatterjee)

