

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

APPLICATION NO.10/2014 (WZ)

Lakhan Musafir & Anr Vs. Sardar Sarovar Narmada Nigam Ltd.

**CORAM: HON'BLE MR JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

Present: Applicant/Appellant : Mihir Desai Adv

Respondent No.1 : Parth H. Batt Adv

Respondent Nos.4 to 8 : Krishna D. Ratnaparkhi Adv

Date and Remarks	Orders of the Tribunal
Item No.6 May 9, 2014 Order No.4	<p>Heard learned Counsel for the parties. The Respondent Nos.4 to 8 have filed their reply affidavit, which is taken on record, whereby they have raised preliminary objections, as regards maintainability of the Application, on the ground that the Apex Court has already decided the issue pertaining to construction of "Sardar Sarovar" dam, including the height and other related matter.</p> <p>The learned Counsel, holding for Advocate General of State of Gujarat, would submit that though reply affidavit is ready, yet which cannot be from vetted and filed, because of certain difficulties. He states that reply affidavit will be filed on the scheduled date and copy thereof will be furnished to other side and the Counsel for other Respondents.</p> <p>The Counsel for Applicants would submit that the construction work is going on and the villagers are likely to be affected more and more if it was continued and therefore, an early hearing is necessary or that <i>status quo</i> order may be passed. We will consider such request on merits if necessary on the scheduled date. The State of Gujarat and other Respondents, if desire to file any affidavit, the same may be filed before scheduled date of hearing.</p> <p>The reply affidavits be filed by the parties on 23rd May, 2014 and thereafter the matter be taken for hearing on 29th May, 2014.</p> <p>By consent of learned Counsel for the parties, Stand over to 29th May, 2014.</p> <p style="text-align: right;">....., JM (Justice V. R. Kingaonkar)</p> <p style="text-align: right;">....., EM (Dr.Ajay A. Deshpande)</p>