

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

**M.A.No.105/2014 (WZ)
Kalpataru Properties – R.6**

**In
APPLICATION NO. 64/2014 (WZ)
Anil Tharthare Vs. The Secretary Environment Department Govt. of
Mah. & Ors**

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

**Present: Applicant/ Appellant : Aditya Pratap Adv
Respondent Nos.2,3 : D.M.Gupte a/w Supriya Dangare
Adv
Respondent No.6 : T.N.Subramaniam Sr.Adv a/w
Saket Mone Adv, i/b Vidhi
Partners**

Date and Remarks	Orders of the Tribunal
Item No. 2 September 9, 2014 Order No.4	<p>Heard Counsel.</p> <p>An interim relief is sought by the Applicant. At this juncture, since the Application of Project Proponent, is being considered by SEIAA, for grant of EC and is at the final stage, after recommendation of SEAC, for consideration of decision thereon, we direct that it shall be expeditiously decided, as far as within two (2) weeks and response of the Respondent Nos.1 to 3, shall be filed within three (3) weeks in the matter. This is necessary in order to know the stand of the Authorities in the context of following issues:</p> <ol style="list-style-type: none">i) Whether there is necessity for seeking EC, in case of such a project where change is sought after initial period, even though life of EC was not specifically mentioned in the original EC?ii) Whether project could be delisted only because Project Proponent was found absent, when the meeting was held on 23/24th May, 2013? If so, under which provisions it could be delisted?iii) What is the provision regarding grant of EC for an additional/substantial change in the project while considering the appraisal thereof in the process of EC? <p>The reply affidavit of Respondent Nos. 1 to 3, should clearly indicate the above three (3) aspects, as well as the response to the complaints of the Applicants.</p>

**Item No. 2
September
2014
Order No.4**

9,

In the meanwhile, during period of three (3) weeks as mentioned above, the Project Proponent and any one claiming through him, shall not seek equity in respect of transfer/creation of third party.

Stand over to 9th October, 2014.

....., **JM**
(Justice V. R. Kingaonkar)

....., **EM**
(Dr.Ajay A. Deshpande)

