

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 233/2015

Ratneshwar Prasad Singh Vs. Banka Municipality & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER**

**Present: Applicant/Appellant(s) : Mr. Shambhu Nath Singh, Mr. Rajesh Ranjan Singh and Mr. Praveen Agrawal, Advs.
Respondent No. 1 to 3 : Mr. Anup Kumar Sinha, Adv.**

	Date and Remarks	Orders of the Tribunal
	<p style="text-align: center;">Item No. 3 July 2, 2015</p> <p style="text-align: center;">AM</p>	<p>Heard. Perused.</p> <p>Learned Counsel appearing on behalf of the applicant has filed an additional affidavit. Copies of the affidavit be furnished to the Learned Counsel appearing on behalf of the respondents.</p> <p>Learned Counsel appearing on behalf of the applicant submits that there is need to pass urgent directions to the Banka Municipality – the respondent no. 1 to take such measures for removing the accumulated water as seen in the annexed photographs to the affidavit forthwith. It is his submission that this accumulated water was the result of the monsoon rainfall only for 20 minutes and the flooding is due to <u>illegal, narrow, insufficient depth and wrongful drainage system</u> constructed by respondent no. 1, Banka Municipality above the level of the road.</p> <p>Learned Counsel appearing on behalf of the respondents seeks time to respond to the application as well as the affidavit filed before us. He submits that he will have to take suitable instructions and file his response including the technical details to show the merit of the construction of sewerage system which will clear the controversy in question. Granting of time to</p>

the respondents is necessary only for the reason that we have nothing before us to come to the clear conclusion based on technical data. Two weeks time is therefore, granted to the respondent to file the replies. Advance copies of the response be furnished to the applicant who may file rejoinder thereto, if any, within a week thereafter.

We direct the respondent no. 1- Banka Municipality who is responsible for carrying out the work of sewerage system to keep the Head of the Public Health Engineering Department along with all the records to answer our queries before us on the next date of hearing. Banka Municipality may take necessary steps to alleviate the misery of the common citizens in the locality in question.

List the case on 27th July, 2015.

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

.....,EM
(Dr. D.K. Agrawal)

