

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

**APPLICATION NO.58(THC)/2014 (WZ)**

**Narayan Namdeo Yadav & Anr V/s The Municipal Corporation & Ors.**

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

**Present: Applicant/ Appellant : Balkrushna D.Joshi a/w  
Deepak R Hole Adv  
Respondent No.1 : Sudhir S. Kotwal Adv  
Respondent No.15 : D.M.Gupte Adv a/w  
Supriya Dangare Adv**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No.7 September 19, 2014 Order No.4</b>	<p>We have heard learned Counsel for the parties..</p> <p>We have seen the photographs and the report of joint inspection carried out in pursuance to the earlier order dated 8<sup>th</sup> August, 2014.</p> <p>It <i>prima facie</i> appears that there are certain non-compliances and therefore, we request learned Counsel for the Municipal Corporation, Nashik, to personally visit the landfill site and make is independent observations as an officer of the Court, irrespective of the fact that he is Advocate of the Municipal Corporation and also to take photographs of the site for comparison of the photographs, which are already placed on record. If so required, he may take assistance of concerned officer of the Corporation, in order to identify the sites shown in the photographs, which are placed on record by the MPCB and Advocate of the Applicants.</p> <p>We further direct that the NEERI, Mumbai be requested by MPCB to carry out the site inspection and give report about the present conditions of the landfill site, including location of the wells and the facts regarding slippage, compound wall, overflow of leachates, if any, garbage heaps, if found, treatment plant and operation of ETP, which is going on with other details, if so necessary. We may clarify that the NEERI, Mumbai is not required to carry out water analysis and in depth study in any manner and, therefore, the work can be carried out within a couple of weeks. The request letter to be issued by the Regional Officer of the MPCB and copy of this order be attached to such request letter. The work is expected to be completed within a couple of weeks and report of such inspection shall be placed on record within a period of three (3) weeks. The response, on the report, if any, shall be filed within period of one (1) week thereafter, by the parties concerned. The report of inspection taken by the Advocate of Municipal Corporation,</p>

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shall be filed in the meanwhile. Both these Application are to be finally heard thereafter on 29<sup>th</sup> October, 2014.

**Stand over to 29<sup>th</sup> October, 2014.**

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

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

