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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 22/2024/EZ

In The Matter of

SAILENDRA CHATTERJEE

.... APPLICANT

VERSUS

STATE OF WEST BENGAL & ORS.

... RESPONDENTS



AFFIDAVIT WITH RESPECT TO THE THE REPORT REGARDING THE
OUTCOME OF THE DISTRICT LEVEL COMMITTEE PROCEEDINGS ON
BEHALF OF THE RESPONDENT NUMBER ... THE DISTRICT
MAGISTRATE & COLLECTOR, DISTRICT PURBA MIDNAPORE

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	to the survey accomplished by the said team is annexed hereto and marked		
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Filed by

Sibojyoti Chakrabarti

SIBOJYOTI CHAKRABARTI
Advocate

For The Kolkata Municipal Corporation
Email: subho.advocate@gmail.com
(M): 9007035534





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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

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MAGISTRATE & COLLECTOR, DISTRICT PURBA MIDNAPORE

I, Purnendu Kumar Majhi, Son of Sri Mihir Kumar Majhi, aged about 57 years, by faith-Hindu, by Occupation-Government Service, working as the District Magistrate & Collector, Purba Medinipur having office at Ganapatnagar, P.O- UttarSonamui, P.S- Tamluk, District: Purba Medinipur, Pin: 721648, do hereby solemnly declare and say as follows: -

1. That I am presently posted as the District Magistrate & Collector, Purba Medinipur and I have made myself well acquainted with the facts and

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circumstances of the instant case and have gone through the documents and reports pertaining to the subject matter of the instant Original Application and I am competent to affirm the instant affidavit before the Hon'ble Tribunal.

2. That this affidavit is being affirmed in pursuance of the solemn Order passed by the Hon'ble National Green Tribunal, Eastern Zone Bench dated 11.09.2024 wherein District Magistrate & Collector, Purba Medinipur was directed to file the report regarding the outcome of the district level committee proceedings on affidavit.
3. That it is pertinent to bring to the kind judicial knowledge of this Hon'ble Tribunal the following factual aspects as stated below:

A) That O.A. No. - 134/2015/EZ in the matter of Bishnu Pada Pakhira Versus Union of India & Ors was filed before the National Green Tribunal, on 18.4.2015, alleging the violation of law on continuous basis to the detriment of coastal ecology and environment by way of illegal construction of hotels, resorts etc. in Digha Sankarpur Development Area especially in Mandarmoni beach in the No Development Zone (NDZ) defined under CRZ notifications of 1991 and 2011.

B) That the matter was considered on several occasions by the Hon'ble National Green Tribunal and which culminated by a final order dated 02.05.2022 with the directions inter alia delineated hereunder:

- i) West Bengal Pollution Control Board would issue closure notice in accordance with law.



ii) West Bengal State Coastal Zone Management Authority would enforce CRZ Notification and demolish all illegal construction in violation of CZMP.

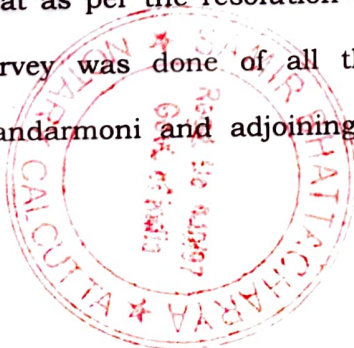
iii) A joint committee was to be constituted comprising of members from National Coastal Zone Management Authority, West Bengal State Coastal Zone Management Authority, Central Pollution Control Board, West Bengal Pollution Control Board, District Magistrate, Purba Medinipur. The committee was to receive claims of hotels/restaurants being compliant with CRZ norms and pass reasoned orders within two months with regard to extent and period of violation and the compensation payable for the damage. The realized amount would be used for the restoration of the damaged coastal ecology.

iv) Subject to such claims and orders of the joint committee the hotels/restaurants in violation of the CRZ norms are to be demolished by the District Administration.

v) This entire exercise is to be completed within 6 months from the date of the order.

C) That pursuant to said solemn order dated- 02.05.2022 in connection with O.A. No.- 134 of 2015, the Joint Committee was constituted and the committee held its first meeting on 03.06.2022 through virtual mode.

D) That as per the resolution taken by the Joint Committee, meticulous survey was done of all the existing hotels/restaurants/resorts in Mandarmoni and adjoining areas. GPS coordinates of at least four



corners were taken up by a team formed by the District Magistrate, Purba Medinipur for 143 hotels/restaurants/resorts.

Photocopy of the memo being no. 551/XXV dated 14.06.2022 issued by the office of the District Magistrate, Purba Medinipur is annexed herewith and marked with the letter 'R-1'.

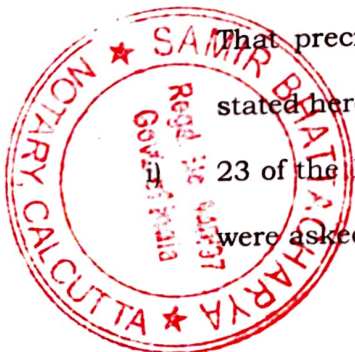
The copy of the working sheet with regard to the survey accomplished by the said team is annexed hereto and marked with the letter 'R-2'.

- E) That subsequently, multiple hearings were done by the Joint Committee and the submissions from some of the hotel owners were duly considered. Final recommendations of the joint committee were communicated to District Magistrate, Purba Medinipur by Chairman, WBSCZMA on 26.04.2024 vide memo no. 039-EN/3C-06/2016 dated 25.04.2024 for taking necessary action in pursuance of the order dated 02.05.2022 in connection with O.A. No.134/2015/EZ passed by this Hon'ble Tribunal.

Photocopy of the communication dated 25.04.2024 addressed to the District Magistrate, Purba Medinipur by Chairman, WBSCZMA is annexed herewith and marked with the letter 'R-3'.

That precisely the final recommendations of the joint committee are stated hereunder:

23 of the 143 hotels are found to be in compliance of CRZ norms. They were asked to take official CRZ clearance from MoEF & CC.



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ii) Rest 120 hotels are found to be in violation of CRZ norms.

4. That Pursuant to the said final recommendation of the joint committee, the District Magistrate, Purba Medinipur issued notices to the hotel owners on 26.06.2024 in view of the Joint Committee report to submit documents as proof of compliance with CRZ norms within 15 days.

The copies of said notices issued by the office of the District Magistrate & Collector, Purba Midnapore on 26.06.2024 are collectively annexed herewith and marked with the letter 'R-4'.

5. That only 12 hotels out of 143 hotels submitted replied to the said notices. They were individually called for hearing in the office of ADM & D.L. & L.R.O, Purba Medinipur in the following months. CRZ maps were also freshly communicated to all the hotel owners on 05.08.2024 to allow them to submit their claims easily. After providing highest order of opportunity of being heard, none of the hotel owners could submit substantial proof in support of their claims.

Photocopy of the Communication as above referred to is annexed herewith and marked with the letter 'R-5'.

6. That in the meanwhile, the instant Application was filed before this Hon'ble Tribunal alleging inaction by State authorities against the final order passed by Hon'ble National Green Tribunal, in O.A. No. - 134/2015/EZ dated 02.05.2022. A report was sought by this Hon'ble



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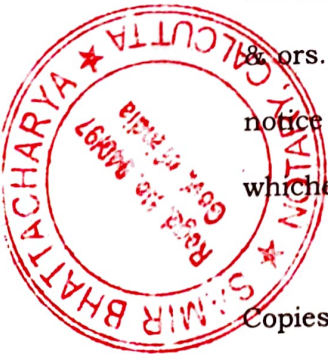
Tribunal which was submitted in the form of an affidavit by the Chief Secretary, Government of West Bengal, on 09.09.2024.

7. That subsequently this Hon'ble Tribunal has been pleased to pass an order dated 11.09.2024 directing District Magistrate, Purba Medinipur to submit a final report on the compliance of the solemn order dated 02.05.2022 in O.A. No. - 134/2015/EZ in the form of an affidavit before next hearing date scheduled on 03.12.2024.
8. That a final notice was issued on 11.11.2024 by District Magistrate, Purba Medinipur to all such Hotel owners as indicated in the Joint Committee report to clear the CRZ area within 20.11.2024 and demolish the illegal construction/structures.

Photocopies of the said notice dated 11.11.2024 are collectively annexed here to and marked with the letter 'R-6'.

9. That subsequent to that two Writ petitions have been filed before the Hon'ble High Court at Calcutta in which Hon'ble Justice Amrita Sinha has been pleased to pass orders dated 22.11.2024 in connection with WPA No. 27403 of 2024 (Mandarmani Hoteliers Association Vs Union of India and ors.) and WPA No. 27735 of 2024 (ADB Projects Pvt. Limited & ors. Vs Union of India & ors.) inter alia staying the operation of the notice dated 11.11.2024 till 13.12.2024 or until further order, whichever is earlier.

Copies of the Orders in WPA No. 27403 of 2024 (Mandarmani Hoteliers Association Vs Union of India and ors.) and WPA No. 27735 of 2024



(ADB Projects Pvt. Limited & ors. Vs Union of India & ors.) are collectively annexed herewith and marked with the letter 'R-7'.

10. That the deponent craves leave of this Hon'ble Tribunal to file supplementary affidavit as may be necessary for the smooth adjudication of the instant original application.

11. That it is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

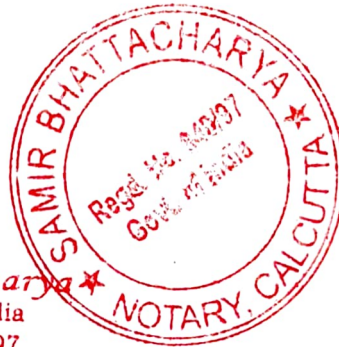
Identified by me

Sibajyoti Chakrabarti
Advocate 02/12/2024
State of West Bengal

Purohendru Kumar Majhi

Deponent

Samir Bhattacharya
Notary Govt. of India
Regd. No.- 940 / 97
CITY CIVIL COURT, CALCUTTA



Solemnly Affirmed and
Declared before me U/S 139
CPC, U/S 297 (C) CRPC

Notary

02.12.24

02 DEC 2024



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VERIFICATION

I, the deponent within named state that this affidavit is verified at Kolkata by the deponent above named on this the 2nd day of December, 2024 and say that the contents of this affidavit made in paragraph nos. 1 is true to my knowledge and those made in paragraphs no. 2 to 11, are true to my information derived from records and rest are my respectful submission before this Hon'ble Tribunal.

1/2

Identified by me

Sibapati Chakrabarti
Advocate
State of West Bengal 02/12/2024

Purnendu Kumar Maji

Deponent
District Magistrate
Purba Medinipur



জেলাশাসক ও জেলাসমাহর্তার কার্যালয়
পূর্ব মেদিনীপুর
গ্রাম-গনপতিনগর, পেট্ট-সোনামুই, থানা-তামলুক
জেলা-পূর্ব মেদিনীপুর, পিন-৭২১ ৬৪৮
ফোন নং-০৩২২৮ ২৬২ ১৩৯
(পরিকল্পনা দপ্তর) : ব্লক 'এ' সপ্তম তল



Office of the District Magistrate & Collector
Purba Medinipur
Vill.-Ganapatnagar, P.O.-Sonamui, P.S.-Tamluk
Dist. - Purba Medinipur; Pin : 721 648
Phone No. : 03228 262 139
(Planning Section) : Block-'A', 6th Floor
Email : dplotamluk@gmail.com

Date: 14/06/2022,

Memo No.: 551/XXV,

Notification

In compliance of the direction of Hon'ble NGT dated 02/05/2022 pertaining to OA No. 134 / 2015/EZ (Bishnu Pada Pakhra – Vs – Union of India & Ors.) read with Memo No. 58/EN/3C-06/2016 dated 10/06/2022 of WBSCZMA, the collection of Geo-coordinates needs to be done to decide if the hotel/ resort/ home stay falls within CRZ area or not.

Therefore, in order to collect the Geo-coordinates, at least for 4 places or corners of the individual unit of the plot area/ property of each hotel/ resort/ home stay, the following Committee is hereby formed:

1. Dr. Prasun Kumar Mondal, Asst. Environmental Engineer, Haldia Regional Office, WBPCB (Nodal Officer)
2. Shri Bipratim Basak, WBCS(Exe.), BDO, Ramnagar-II Block, Member
3. Shri Koustav Hati, BL&LRO, Ramnagar-II Block, Member
4. Owner of concerned hotel/ resort/ home stay

The Committee will collect Geo-coordinates (at least 4 places or corners of the individual unit of the plot area/ property of each hotel/ resort/ home stay) in the prescribed format (enclosed) during 20th June to 24th June, 2022. List of the hotel/ resort etc. is enclosed herewith.

All concerned are requested to cooperate with the above mention Committee so that the survey report can be submitted to the WBSCZMA and CRZ status of these units can be ascertained within the mandate given by the Hon'ble NGT.

District Magistrate
Purba Medinipur

- Encl.: i) List of hotels/Resort/home stay
ii) Prescribed format for collection of Geo-coordinates

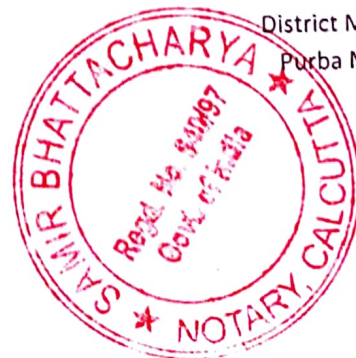
Memo No.: 551/1(7)/XXV,

Date: 14/06/2022

Copy forwarded for information and taking necessary action to:

1. The Superintendent of Police, Purba Medinipur to issue order to the O/C Mandarmoni Coastal PS to accompany the visiting Committee at the time of collection of Geo-coordinates of enclosed hotels and ensure law & order situation
 2. Dr. Prasun Kumar Mondal, Asst. Environmental Engineer, Haldia Regional Office, WBPCB
 3. Shri Bipratim Basak, WBCS(Exe.), BDO, Ramnagar-II Block
 4. Shri Koustav Hati, BL&LRO, Ramnagar-II Block
- 5-102. M/s.....(hotel/resort/home stay), Mandarmoni
103. The Secretary, Mandarmoni Beach Hoteliers' Association, Kalindi, Purba Medinipur

District Magistrate
Purba Medinipur



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FORMAT FOR COLLECTION OF GEO-COORDINATESDeclaration

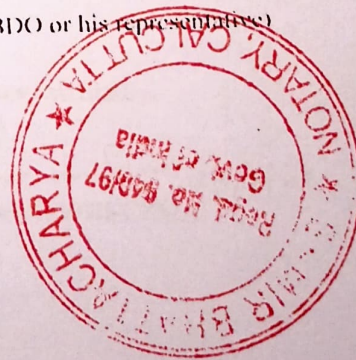
Name of the Hotel/ Resort/ Homestay etc	
Name of the owner	
Address	
Geo-coordinates for 4 corners of the total plot area/property of hotel/resort/homestay (at least 4 in number)	1. 2. 3. 4.

This is to certify that the above geo-coordinates have been collected in our presence on (date) and are correct. This is in compliance to the direction dated 02/05/2022 of Hon'ble NGT passed in connection with OA No.134/2015/EZ.

(Signature of hotel owner)

(Signature of BDO or his representative)

(Signature of WBPCB representative)



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R/329-c
27/4/24

WEST BENGAL STATE COASTAL ZONE MANAGEMENT AUTHORITY
IESWM, DD-24, Sector-I, Salt Lake, Kolkata -700 064 Tel: (033) 2334-1020, FAX: (033) 2335-0271
Email - wbsczma@gmail.com
Website: www.environmentwb.gov.in

No.: 039 - EN/3C-06/2016

Date: 30th April 2024
OFFICE OF THE DISTRICT MAGISTRATE
Purba Medinipur
(Planning Section)
Received contents but not verify
No. Date: 02.05.2024
Signature: *Soubhik*

To
The District Magistrate,
&
Chairman,
District Level Committee of WBSCZMA, Purba Medinipur

Subject: Compliance of the order of the Hon'ble NGT in the matter of O.A. No 134/2015/EZ (Bishnupada Pakhira Vs Union of India & Ors)

Sir,

In context to the above subject matter, kindly find enclosed herewith the final report of the Joint Committee formed as per the direction of Hon'ble National Green Tribunal in O.A. 134/2015/EZ (Bishnupada Pakhira Vs Union of India & Ors) along with the CRZ status report of the hotels/ homestays/ resorts at Mandarmani prepared as per the GPS co-ordinates provided by the office of the District Magistrate, Purba Medinipur.

In this regard, you being the Chairman of the District Level Committee of WBSCZMA are directed to take necessary action as per the direction of Hon'ble NGT taking into consideration the recommendations made by the Joint Committee in its final report. An Action Taken Report in this regard may be submitted to this office at the earliest for filing compliance affidavit in the Hon'ble NGT by the Chief Secretary, West Bengal.

Encl: As stated above

Yours faithfully,

Sudini Sen 25/4/24
Chairman, WBSCZMA



ADM(LR)
jo

DPLO
Please discuss with
the report.
Cheer

জেলাশাসক ও জেলাসমাহর্তাকার্যালয়
পূর্ব মেদিনীপুর
গ্রাম : গনপতিনগর, পোঃ-উত্তর সোনারুই, থানা : ডমচুক ।
জেলা : পূর্ব মেদিনীপুর, পিন : ৭২১৬৪৮
(পর্যটন বিভাগ) :: ব্লক 'এ', সপ্তম তল ।



Office of the District Magistrate & Collector
Purba Medinipur
Vill.-Ganpatinagar, P.O.-Uttar Sonamui, P.S. :Tamluk:
Dist :Purba Medinipur, Pin :721648
Email: tourismpurba@gmail.com
(Tourism Section) :: Block - 'A', 6th Floor.

No. : 34 /XXXXII/Tourism(CRZ)

Dated : 26 / 06 /2024

NOTICE

As per the Order received from West Bengal State Coastal Zone Management Authority vide memo no. 039-EN/3C-06/2016, dated 25.04.2024 and as per directions of Hon'ble National Green Tribunal, Special Bench all the respondents i.e. hotels, restaurants or resorts, homestays are hereby given the opportunity to claim their existence and operation to be valid under CRZ notification, 1991 & 2011 and requested all concern to forward their claim with all relevant documents to the office of the undersigned within fifteen (15) days from the issuance of this notice.



Chairman,
District Level Committee of WBCZMA
&
District Magistrate & Collector
Purba Medinipur

No. : 34 /1(5)/XXXXII/Tourism(CRZ)

Dated : 26 / 06 /2024

Copy forwarded for information and taking necessary action to:-

- 1) The Chairman, West Bengal State Coastal Zone Management Authority, Kolkata.
- 2) The Environmental Engineer, WBPCB, Haldia Regional Office, Purba medinipur,
- 3) The Sub-Divisional Officer, Contai Sub-Division, Purba Medinipur.
- 4) The Block Development Officer, Ramnagar II Development Block, Purba Medinipur.
- 5) The Proprietor..... Hotel/ Restaurant/ Resort.


Chairman,
District Level Committee of WBCZMA
&
District Magistrate & Collector
Purba Medinipur



Office of the District Magistrate & Collector
890
Purba Medinipur
Vill - Ganapatnagar, P.O.-Uttar Sonamui, P.S. - Tamluk.
Dist - Purba Medinipur, Pin - 721648
Email - tourismpurba@gmail.com
(Tourism Section) :: Block - 'A', 6th Floor.

স্বাক্ষরিত ও জেলাপমাহঁত্র কার্যালয়
পূর্ব মেদিনীপুর
রাস্তা - গনপতিনগর, পোঃ-উত্তর সোণমুই, থানা - তামলুক
জেলা - পূর্ব মেদিনীপুর, পিন - ৭২১৬৪৮
(পর্যটন বিভাগ) :: ব্লক 'এ', সপ্তম তল।

Date: - 05/08/24

Memo No: - 59/XXXXII/Tourism(CRZ)

To
The Director/Proprietor,
All Hotels, Resort, Homestays & others,
Mandarmoni, Purba Medinipur

Sub:- Regarding CRZ

As per your reply of our notice vide memo no. 34/XXXXII/Tourism(CRZ) dated 26/06/2024. All most all of you have searched for the Coastal Zone Management Plan (CZMP). In connection to this, it is informed that the Coastal Zone Management Plan (CZMP) 2011 is available in the website of Environment Department, Government of West Bengal (www.environmentwb.gov.in).

May please visit to the website to seen the required Coastal Zone Management Plan (CZMP).
Thanking you.

Puro

Additional District Magistrate (LR)
Purba Medinipur

Memo No. - 59/1(1)/XXXXII/Tourism (CRZ)

Date: 05/08/24

Copy forwarded for information to:-
C.A. to District Magistrate, Purba Medinipur.



Puro

Additional District Magistrate (LR)
Purba Medinipur

জেলাশাসক ও জেলাসমাহর্তার কার্যালয়
পূর্ব মেদিনীপুর
গ্রাম : গনপতিনগর, পোষ্ট-উত্তর সোনা মুই, থানা : তমলুক ;
জেলা : পূর্ব মেদিনীপুর, পিন : ৭২ ১৬৪৮
(পর্যটন বিভাগ) :: ব্লক 'এ', সপ্তম তল।



Office of the District Magistrate & Collector
Purba Medinipur
Vill.-Ganapatnagar, P.O.-Uttar Sonamui, P.S. :Tamluk
Dist :Purba Medinipur, Pin :721648
Email: tourismpurba@gmail.com
(Tourism Section) :: Block - 'A', 6th Floor.

Memo No:-114/XXXXXII/Tourism (CRZ)

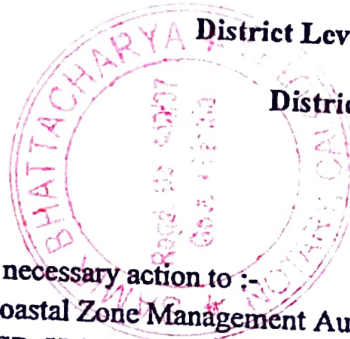
Date:-11/11/2024

NOTICE

Whereas, as per Order of Hon'ble NGT, vide O.A. No. 134/2015/EZ dated 02/05/2022 regarding Coastal Regulation Zone violation by Hotels / Resorts & Home stays in Mandarmoni, Purba Medinipur, all stakeholders are hereby directed to demolish and clean your illegal construction within 20.11.2024, otherwise legal action will be taken.

This is for your information and necessary action.


Chairman,
District Level Committee of WBCZMA
&
District Magistrate & Collector
Purba Medinipur



Memo No:-114/1(5)/XXXXXII/Tourism

Date:-11/11/2024

Copy forwarded for information and taking necessary action to :-

- 1) The Chairman, West Bengal State Coastal Zone Management Authority, Kolkata.
- 2) The Environmental Engineer, WBPCB, Haldia Regional Office, Purba medinipur,
- 3) The Sub-Divisional Officer, Contai Sub-Division, Purba Medinipur.
- 4) The Block Development Officer, Ramnagar II Development Block, Purba Medinipur is requested to serve the Notice to the concerned stakeholders and submit the service return to this office end.
- 5) The Proprietor,..... Hotel/
Restaurant/ Resort & Home stay.




Chairman,
District Level Committee of WBCZMA
&
District Magistrate & Collector
Purba Medinipur

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

22. 11. 2024

BP
Sl. 02
Court No. 14

WPA 27403 of 2024

Mandarmoni Hoteliers Association
Vs.
Union of India & Ors.

Mr. Bikash Ranjan Bhattacharya. Sr. Adv.
Mr. Kalyan Bandopadhyay. Sr. Adv.
Mr. Saptangsu Basu. Sr. Adv.
Mr. Paritosh Sinha. V.C.
Mr. Amitava Mitra. V.C.
Mr. Ananta Kumar Shaw.
Mr. Ayan Banerjee.
Ms. Sumita Shaw.
Mr. Tarun Chatterjee.
Ms. Debasree Dhamali.
Ms. Paushali Banerjee.
Mr. Sujit Gupta.
Mr. Mainak Ganguly.
Ms. Riya Ghosh.
Mr. Soumen Cahtterjee.

..For the petitioner

Mr. T. M. Siddiqui.
Mr. D. Sahu.

..for the State.

Mr. N. C. Bihani.
Mrs. P. B. Bihani.
Mr. S. Ghosh.
Mr. S. Mukherjee.

... For the WBPCB.

Mr. Swapan Kunar Nandi.
Mr. Biswajit Maity.

... For the Union of India.

Ms. Soumi Guha Thakurta.

... For the Central Pollution Control Board.



~~S~~

1. Affidavit-of-service filed in Court today be kept with the records.
2. Leave is granted to the learned advocate-on-record for the petitioner to implead Bishnupada Pakhira as party respondent in the instant writ petition and serve copy of the writ petition upon the added respondent.
3. The notice dated 11th November, 2024 issued by the Chairman, District Level Committee of WBCZMA and District Magistrate and Collector, Purba Medinipur directing all stakeholders to demolish and clean the illegal construction within 20th November, 2024 by the hotels/resorts and home stays in Mandarmoni, Purba Medinipur in terms of the order of the National Green Tribunal in O.A. No. 134/2015/EZ dated 2nd May, 2022 is impugned herein.
4. Primary contention of the petitioner is that the CRZ notification in respect of the State of West Bengal is yet to be published. In the absence of the CRZ notification, the same cannot be implemented.
5. Next contention is that the NGT could not have delegated its authority to adjudicate upon a committee who subsequently passed the order of demolition.

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6. Further submission is that the cause of action arose long back and as per the National Green Tribunal Act, 2010, the constructions made by the members of the petitioner long back could not have been directed to be demolished at such a late stage.
7. The Constitution of the NGT in passing the order dated 2nd May, 2022 has been challenged. It has been submitted that any order passed by an authority constituted de hors the provision of law is liable to be set aside on the ground of quorum non judice.
8. The matter is yet to be heard. The parties are to make formal arguments.
9. As there is an immediate threat of demolition of the constructions which are used by the members of the petitioner for running their business to earn their livelihood, accordingly, the interim order praying stay of operation of the impugned notice is allowed.
10. The impugned notice dated 11th November, 2024 shall not be given effect to till 13th December, 2024 or until further order, whichever is earlier.
11. The respondents are directed to file report with regard to the averments made in the writ petition by 4th December, 2024 and serve copy upon the

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learned advocate representing the petitioner.

12. List the matter on **10th December, 2024**. It will be open for the petitioner to prepare exception to the report prior to the adjourned date.

(Amrita Sinha, J.)

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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

22. 11. 2024

BP
Sl. 03
Court No. 14

WPA 27735 of 2024

ADB Projects Pvt. Limited & Ors.
Vs.
Union of India & Ors.

Mr. Biswaroop Bhattacharya.
Mr. Arup Nath Bhattacharya.
Mr. V. Kothari.
Mr. Priyabroto Thakur.
Ms. Sayani Das.
Ms. Shretama Biswas.
Mr. Arya Bhattacharyya.
Mr. Amit Mukherjee.
..For the petitioners.

Mr. Sk. Md. Galib.
Ms. Sujata Mukherjee.
..for the State.

Mr. N. C. Bihani.
Mrs. P. B. Bihani.
Mr. S. Ghosh.
Mr. S. Mukherjee.
... For the WBPCB.

Mr. Swapan Kunar Nandi.
Mr. Biswajit Maity.
... For the Union of India.



1. Affidavit-of-service filed in Court today be kept with the records.
2. Leave is granted to the learned advocate-on-record for the petitioners to correct the case number mentioned in the prayer (e) and (m) of the writ petition.
3. The petitioners' are aggrieved by the notice dated 11th November, 2024 issued by the Chairman, District Level

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Committee of WBCZMA and District Magistrate and Collector, Purba Medinipur directing all stakeholders to demolish and clean the illegal construction within 20th November, 2024 in terms of the order passed by the Hon'ble National Green Tribunal on 2nd May, 2022.

4. A notice of hearing was issued to the petitioners on 12th November, 2024 with a request to attend the hearing on 22nd November, 2024.

5. It has been submitted that the hearing has since been postponed and no fresh date has been intimated to the petitioners.

6. The Court is hearing a similar issue in WPA No. 27403 of 2024 (**Mandarmoni Hoteliers Association -Vs- Union of India & Ors.**). The Court has already granted an interim stay of the impugned notice dated 11th November, 2024. The stay shall apply in case of the petitioners also.

7. The respondents are directed to file report by 4th December, 2024.

8. The respondents are directed to file report with regard to the averments made in the writ petition by 4th December, 2024 and serve copy upon the learned advocate representing the petitioners.

9. List the matter on **10th December, 2024**. It will be open for the petitioners to prepare exception to the report prior to the adjourned date.

(Amrita Sinha, J.)

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.
22/2024/EZ

In The Matter of:
Sailendra Chatterjee

... Applicant

Versus

State of West Bengal & Ors.

... Respondents



AFFIDAVIT ON BEHALF OF THE
RESPONDENT NUMBER DISTRICT
MAGISTRATE & COLLECTOR,
DISTRICT PURBA MIDNAPORE.

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

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