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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

APPEAL NO- 01 OF 2025

IA NO- _____ OF 2025

IN THE MATTER OF:

M/S Navakiran Enterprises Pvt. Ltd

APPELLANTS

VERSUS

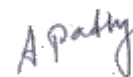
State Pollution Control Board Odisha

RESPONDENTS

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PLACE: BHUBANESWAR

SANKAR PRASAD PANI ASHUTOSH PADHY

DATE- 18TH January 2025

ADVOCATE

PLOT NO 2132/4814, NAGESWARTANGI, BHUBANESWAR, 751002,

CELL9437279278, **Email:**sankarprasadpani@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Under Section 19(4) (k) read with 18(1) of National Green Tribunal
Act, 2010

I A No-_____Of 2025

Appeal No-01/2025

IN THE MATTER OF:

M/s. Navkiran Enterprises Pvt. Ltd. Padampur, Tukuda, P.O. Nuapali,
Dist. Boudh, Orisha - 762018. **APPELLANT**

VERSUS

1. State Pollution Control Board, Odisha, Department of Forest &
Environment, Government of Odisha Office of the Regional Office,
Balangir, Koshal Chowk, Palace Lane, Balangir 767001 through the
Regional Officer Tel: 9438883908, Email:
rospcb.bolangir@ospeboard.org ...**RESPONDENT**

2. Kishor Kumar Meher, S/O Tribikram Meher, aged about 54 years,
At/Po-khairamal, Raxa, Pin- 762015, Dist-Boudh

INTERVENER

I A FOR IMPLEADMENT OF PARTY

IT IS MOST RESPECTFULLY SHOWETH;

I, Kishor Kumar Meher, S/O Tribikram Meher, aged about 54 years,
At/Po-khairamal, Raxa, Pin- 762015, Dist-Boudh, hereby solemnly affirm, and
declare as under:

1. That I am the applicant in the present interlocutory application and I am fully conversant with the facts and circumstances of the case.
2. That the present appeal has been filed by appellant industry challenging direction of closure dated 9th January 2025 issued under Section 33A of the Water (Prevention & Control of Pollution) Act 1974 by the State Pollution Control Board.
3. That the present applicant Kishor Kumar Meher, S/O Tribikram Meher, aged about 54 years, At/Po-khairamal, Raxa, Pin- 762015, Dist-Boudh is the petitioner/ applicant in OA 234/2024 and the subject matter of that OA and the present appeal No-1/2025 are analogues. In the OA 234/2024 Hon'ble Tribunal has issued notice on dated 02/01/2025 and the next date fixed for hearing is 21/02/2025. (page 63 of Appeal)
4. That the closure order dated 09/01/2025 which is issued by OSPCB is in pursuant to the complaint dated 30/10/2024 filed by the present applicant/ intervener. And there after the inspection report dated 07/12/2024 also acknowledges the complaint letter dated 30/10/2024 of the present petitioner, acting upon which the closure notice was issued.
5. That since the closure order was issued pursuant to the complaint of the present applicant dated 30/10/2024, hence the present intervener is a necessary party to the present appeal. However the appellant conveniently choose not to implead the present applicant in the memo of appeal.
6. That the appeal is bad in law and facts for the reason the applicant has not

been arrayed as a party and for non joinder of parties the appeal is liable to be dismissed.

7. That the appellant unit is a habitual violator of environment norms and same is evident from the inspection report dated 28/08/2024,07/12/2024 and Show Cause Notice dated 20/09/2024.
8. That the last water sample analysis dated 12/12/2024 clearly shows the BOD of the discharged water is five times more than the prescribed standard.
9. Needless to say that the local villagers time and again filed complaints regarding the pollution caused by the unit and by taking cognizance of the present applicant the OSPCB caused inquiry/inspection and found violation and rightfully issued closure order for persistently defaulting the environment norms.
10. That the closure order dated 09/01/2025 is a self explanatory suggesting the gravity of the environmental concerns and rightly the State Pollution Control Board has issued a closure notice after failure to comply the CTO norms and more particularly the unit was discharging the waste directly bypassing the effluent treatment plant.
11. It is further submitted that the closure order has already been executed by the concerned authorities in terms of disconnection of electricity and disengaging the appellant unit from paddy procurement operation for year 2024-25, hence the interim relief claimed by the appellant unit can not be granted.

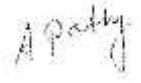
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PRAYER

It humbly prayed before this hon'ble Tribunal in the interest of justice and to assist this Hon'ble Tribunal in the present appeal the present intervener is a necessary party hence the present IA may be allowed and the present applicant may be added as a respondent.

DATE- 18/01/2025

BY THE APPELLANTS THROUGH

PLACE- BHUBANESWAR

ADVOCATE

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

APPEAL NO.- 1 OF 2025

I.A. No.- _____ OF 2025

18 JAN 2025

IN THE MATTER OF:

M/S Navakiran Enterprises Pvt. Ltd

APPELLANT

VERSUS

State pollution Control Board Odisha

RESPONDENT

AFFIDAVIT

I, Kishor Kumar Meher, S/O Tribikram Meher, aged about 54 years,
At/Po-khairamal, Raxa, Pin- 762015, Dist-Boudh do hereby solemnly affirm,
and declare as under:

1. That I am the applicant in the present Interlocutory Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying IA and the same is true and correct and is drafted on my instruction.

Kishor Kumar Meher
DEPONENT

VERIFICATION

Verified on this 18 day of JAN 2025.....2025 at that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
Advocate
Advocate

Kishor Kumar Meher
DEPONENT



The above named deponent(s) being duly identified by *Advocate* appears before me on 18 day of JAN 2025 at A.M./P.M. o'clock on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief

JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO. ON-86/2012
MOB. NO. - 9357121073

Deponent(s) Notary, Bhubaneswar

BEFORE THE NATIONAL GREEN TRIBUNAL

Appeal No.- 1 of 2025

I.A. no.- _____ of 2025

In re:

M/S Navakiran Enterprises Pvt. Ltd

APPELLANT

Versus

State Pollution Control Board Odisha

... RESPONDENT

KNOW ALL to whom these presents shall come I, Kishor Kumar Meher, S/O Tribikram Meher, aged about 54 years, At/Po-khairamal, Raxa, Pin- 762015, Dist-Boudh, intervener in the above mentioned case, do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob-no.9437279278, Email- sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy**, Enrollment no. O-1018/23.

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.


And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

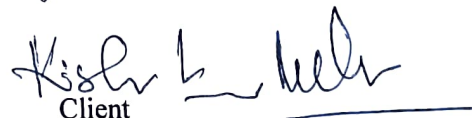
And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 18th day of January, 2025.

Accepted subject to the terms of fees.


Advocate




Client



Sankar Pani <sankarprasadpani@gmail.com>

IA FOR IMPLEADMENT OF PARTY IN APPEAL 01/2025

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Sat, Jan 18, 2025 at 3:30 PM

To: "ramendu@legaloptions.in" <ramendu@legaloptions.in>, "rospcb.bolangir@ospcboard.org" <rospcb.bolangir@ospcboard.org>

Dear Sir/Madam, please find the attachment.

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Sankar Prasad Pani, Environment Lawyer
National Green Tribunal Kolkata & Orissa Highcourt
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Bhubaneswar, 751002
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Skype- sankar.pani

**IA IN APPEAL 01-merged.pdf**

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