

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

O.A No. 61 of 2024/EZ

IN THE MATTER OF;

Hitesh Sharma

..... Applicant

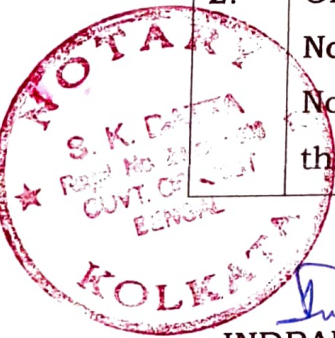
-Versus-

Sabyasachi Mukherjee Chakrabarty & Ors.

..... Respondents

INDEX

Sl. No.	Particulars	Annexure	Pages
1.	Application, Affidavit and Verification		1 to 10
2.	Order dated 20th Day of November, 2024 passed in OA No. 61 of 2024/ EZ passed by this Hon'ble Tribunal	Annexure- "A/1"	11 to 13


Indradeep Ghosh.
INDRADEEP GHOSH, ADVOCATE,
C/O Mr. ABHISEK BARAN DAS
ADVOCATE
8, KPC Street,
Kolkata- 700 001;
Email: ghoshindradeep506@gmail.com
Mob.: 7003321437;



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

O.A No. 61 of 2024/EZ

In the matter of:-

Hitesh Sharma

..... Applicant

-Versus-

Sabjisachi Mulkik Chowdhury &Ors.

..... Respondents

**COMPLIANCE OF THE HON'BLE TRIBUNAL ORDER DATED
20.11.2024 IN FORM OF AFFIDAVIT ON BEHALF OF THE
APPLICANT, HITESH SHARMA;**

I, Pawan Sharma, Son of Radheshyam Sharma, aged about 50 years, by faith- Hindu, by occupation- Business, residing at CZ4, Canal South Road, P.O. Dhapa, P.S. Pragati Maidan, Kokata- 700105, do hereby solemnly affirm and say as follows:-

1. That I am the Constituted Attorney of the Applicant in the instant application and as such I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the applicant to sign and swear this affidavit on his behalf.
2. That as compliance of the Order dated 20th Day of November, 2024 passed in OA No. 61 of 2024/ EZ



passed by this Hon'ble Tribunal which is annexed herewith and marked as Annexure - "A/1" I am duly filing the Amended List of Parties as follows:-

AMENDED LIST OF PARTIES

“Hitesh Sharma, son of Mr. Yogesh Sharma, residing at 2/C, Madan Chatterjee Lane, Police Station – Girish Park, Kolkata – 700007 represented by his constituted attorney Pawan Sharma, Son of Radheshyam Sharma, residing at CZ4, Canal South Road, P.O. Dhapa, P.S. Pragati Maidan, Kolkata- 700105;

(E-mail:- abhisekbaran@gmail.com)

..... Applicant

-VERSUS-

1. Sabyasachi Mullick Chowdhury, son of Late Sunit Kumar Mullick Chowdhury, residing at 64/11G, Suren Sarkar Road, Police Station – Beliaghata, Kolkata – 700010.

Email- Not Available.

2. The State of West Bengal, service through Chief Secretary, Government of West Bengal, “Nabanna”, 325, Sarat Chatterjee Road,

Mandirtala, Shibpur, Howrah – 711102;

Email- cs-westbengal@nic.in



3. The Chief Secretary, Government of West Bengal, having its office at "Nabanna", 325, Sarat Chatterjee Road, Mandirtala, Shibpur, Howrah - 711102;

Email- cs-westbengal@nic.in

4. The East Kolkata Wetland Management Authority, service through the Chief Technical Officer (CTO), having its office at 'Prani Sampad Bhavan, 5th Floor, L.P - II, Sector - III, Salt Lake - 700106;

Email- ctoekwma@gmail.com

5. The Chief Technical Officer (CTO), Kolkata Wetland Management Authority, having office at Prani Sampad Bhavan, 5th Floor, L.P. - II, Sector - III, Salt Lake - 700106;

Email- ctoekwma@gmail.com

6. The West Bengal Pollution Control Board, service through the Member Secretary, having its office at 'Paribesh Bhaban', 10A, Block - LA, Sector - III, Bidhannagar, Kolkata - 700106;

Email- ms.wbpcb-wb@bangla.gov.in

7. The Member Secretary, West Bengal Pollution Control Board, having its office at 'Paribesh Bhaban', 10A, Block - LA, Sector - III, Bidhannagar, Kolkata - 700106;

Email- ms.wbpcb-wb@bangla.gov.in



8. The Kolkata Municipal Corporation, service through the Municipal Commissioner, having its office at 5, S. N. Banerjee Road, Kolkata – 700013;

Email- mc@kmcgov.in

9. The Director General (Project Management Unit), Kolkata Municipal Corporation, having its office at 48, Market Street, Kolkata – 700087;

Email- dg_project@kmcgov.in

10. The Commissioner of Police, Kolkata Police, having his office at B. B. Ganguly Street, Lal Bazar, Kolkata – 700001;

Email- cpkolktapolice@gov.in

11. The Additional District Magistrate (LR), South 24 Parganas, having its office at 'Treasury Building', Kolkata – 700027;

Email- duttasuman400@gmail.com

12. The Block Land & Land Reforms Officer (Kasba), South 24 Parganas, having its office at 1582, South End Conclave Building, T. M. – Block, Kasba, Rajdanga Main Road, Kolkata – 700107;

Email- dm.s24p@gov.in



13. The Environment Officer, High Power Committee, Pranisampad Bhavan, 5th Floor, L.P. – II, Sector – III, Salt Lake – 700106;

Email- environmentwb@gmail.com

14. The Officer-in-Charge, Pragati Maidan Police Station, having its office at Eastern Metropolitan Bypass Road, Kolkata – 700039;

Email- ps.pragatimdn@kolkatapolice.gov.in

15. Metropolitan Co-operative Housing Society Limited, a Co-operative Housing Society formed and registered under West Bengal Co-operative Societies Act, service through the Secretary, having its office at CZ-28, Sector – B, Canal South Road, District – South 24 Parganas, Kolkata – 700105;

Email- Not Available

16. The Secretary, Metropolitan Co-operative Housing Society Limited, having office at CZ-28, Sector – B, Canal South Road, District – South 24 Parganas, Kolkata – 700105;

Email- Not Available

17. Niranjana Mondal of P-116/EA, Metropolitan Co-operative Housing Society Limited, Sector – A, Canal South Road, District – South 24 Parganas, Kolkata – 700105;

Email- Not Available



18. Amulya Ratan Dutta of P-138/EA, Metropolitan Co-operative Housing Society Limited, Sector – A, Canal South Road, District – South 24 Parganas, Kolkata – 700105;

Email- Not Available

19. Pankaj Majumdar of P-3/SC, Metropolitan Co-operative Housing Society Limited, Sector – A, Canal South Road, District – South 24 Parganas, Kolkata – 700105;

Email- Not Available

20. Debojyoti Kar of P-102, Metropolitan Co-operative Housing Society Limited, Sector – A, Canal South Road, District – South 24 Parganas, Kolkata – 700105;

Email- Not Available

21. Uma Biswas of P-142, Metropolitan Co-operative Housing Society Limited, Sector – A, Canal South Road, District – South 24 Parganas, Kolkata – 700105;

Email- Not Available

22. National Wetland Committee, through its Member Secretary, being represented by Scientist F, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New

Delhi – 110003;

Email- sundeep.cpcb@nic.in



23. Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Government of India, through its Member Secretary, Parivesh Bhawan, East, Arjun Nagar, Delhi – 110032;

Email- ccb.cpcb@nic.in

24. Ministry of Environment, Forest and Climate Change, through its Secretary, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi – 110003;

Email- secy-moef@nic.in

25. Department of Environment, Government of West Bengal, through its Principal Secretary, Prani Sampad Bhavan, 5th Floor, L.P. – II, Sector – III, Salt Lake – 700106;

Email- psecy.env-wb@gov.in

26. District Magistrate, South (24) Parganas, having its office at 'New Administrative Building', Alipore, South 24 Parganas, Kolkata – 700027;

Email- dm-ali@nic.cin

27. Senior Superintendent of Police, South 24 Parganas, Alipore Police Line, Alipore, Kolkata, West Bengal, 700027;

Email- ddhpolicedistrict@gmail.com



28. State Wetland Authority, Department of Environment,
Government of West Bengal, through Secretary, "Prani Sampad
Bhawan", 5th Floor, LB- 2, Sector- III, Saly Lake, Kolkata- 700106.
Email-acsenvwb@gmail.com

.....Respondents"

3. That the statements made in paragraph Nos. 1 to 2
are true to my knowledge, those made in paragraphs
are information derived from records which I verily
believe to be true and rest thereof are my humble
submissions before This Hon'ble Tribunal.

Identified by me

D. Indeeep Ghosh.
Advocate

Ravenu Sami
Deponent

S.L. NO. 02/19/01/2025.



SANTOSH KUMAR DATTA
NOTARY
60/1A, Hari Ghosh Street
Kolkata-700006
Regn. No.- 24 of 1998

Solemnly Affirmed
&
Declared before me
on Identification of Advocate

S. K. Datta
S. K. DATTA
NOTARY

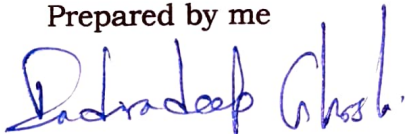
19 JAN 2025

19.01.2025

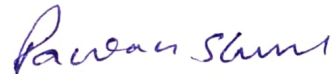
VERIFICATION

I, Pawan Sharma, Son of Radheshyam Sharma, aged about 50 years, by faith- Hindu, by occupation- Business, residing at CZ4, Canal South Road, P.O. Dhapa, P.S. Pragati Maidan, Kokata- 700105, being the Constituted Attorney of the Applicant herein and being well acquainted with and fully aware of the relevant facts and circumstances of this instant case, do hereby verify and state that the statements made in paragraphs 1 to 2 hereinabove are true to my knowledge and/or derived from records and believed by me to be true and those made in rest of the paragraphs are my respectful submissions before this Hon'ble Tribunal.

Prepared by me



Advocate



DEPONENT

Item No.08

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.61/2024/EZ

&

Interlocutory Application No.28/2024/EZ

Hitesh Sharma

Applicant(s)

Versus

Sabyasachi Mullick Chowdhury & Ors.

Respondent(s)

Date of hearing: 20.11.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s) : Mr. Siddhartha Banerjee, Adv. (in Virtual Mode)

For Respondent(s): Mr. Ashok Prasad, Adv. a/w
Mr. Vishwarup Acharya, Adv. for R-1,
Mr. Sudip Kumar Dutta, Adv. for State Respondents
(in Virtual Mode),
Mr. Ayush Kumar Dadhich, Adv. for R-6&7,
Mr. Sibojyoti Chakrabarti, Adv. for R-8&9,
Mr. Deepnath Roy Chowdhury, Adv. a/w
Mr. Asis Dutta, Adv. for R-15 & 16,
Mr. Dipanjan Ghosh, Adv. for R-25 (in Virtual Mode),
Ms. Rashhmi Singhee, Adv. for R-24 & 26 (in Virtual Mode)

ORDER

1. Mr. Siddhartha Banerjee, learned Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Mr. Sibojyoti Chakrabarti, learned Counsel who is present in Court files Vakalatnama on behalf of the Respondent Nos.8 and 9, Kolkata Municipal Corporation. Affidavit dated 20.11.2024 has been filed by the Kolkata Municipal Corporation; the same is taken on record. E-copy/s of the same has been served upon the Counsel for the other Respondents in the Court itself.

- 12 -

3. Mr. Deepnath Roy Chowdhury, learned Counsel assisted by Mr. Asis Dutta, learned Counsel who is present in Court on behalf of the Respondent Nos.15 and 16, Metropolitan Co-operative Housing Society Limited states that e-copy/s of the Joint Committee Report filed with the affidavit of the Respondent No.4, The East Kolkata Wetland Management Authority (EKWMA) dated 12.08.2024 has not been served upon him. Mr. Sudip Kumar Dutta, learned Counsel appearing (in Virtual Mode) for the State Respondents shall serve the e-copy/s of the said affidavit upon Mr. Deepnath Roy Chowdhury within 24 hours. Mr. Deepnath Roy Chowdhury shall share his E-mail id in the chat box of the virtual proceedings within 24 hours.
4. Mr. Siddhartha Banerjee, learned Counsel for the Applicant states that the Respondent Nos.17 and 18 have wrongly been impleaded in the present proceedings as Respondents as they have been impleaded by name in their personal capacity whereas the Metropolitan Co-operative Housing Society Limited has already been impleaded in the present proceedings as Respondent Nos.15 and 16 through their office bearers.
5. We, therefore, direct the Applicant to delete Respondent Nos.17 and 18 from the array of Respondents.
6. In spite of the order of the Tribunal dated 14.10.2024, counter-affidavit on behalf of the Respondent Nos.24 and 26, National Wetland Committee and Ministry of Environment, Forest and Climate Change respectively has not been filed till date. Ms. Rashhmi Singhee, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent Nos.24 and 26 prays for further four

- 13 -

weeks time for filing counter-affidavit. Time as prayed is granted by way of last chance.

7. Mr. Dipanjan Ghosh, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent No.25, Central Pollution Control Board states that his affidavit is under verification and will be filed within two weeks. Let the same be filed within two weeks after service of the same upon the Counsel for the Applicants and the Respondents.
8. **List on 22.01.2025.**

.....
B. Amit Sthalekar, JM

.....
Dr. A. Senthil Vel, EM

November 20, 2024,
Original Application No.61/2024/EZ
&
Interlocutory Application No.28/2024/EZ
OM

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL EASTERN ZONE
BENCH, AT CALCUTTA
O. A. NO. 61 OF 2024/EZ

IN THE MATTER OF:-

IN THE MATTER OF:

Hitesh Sharma

..... Applicant

-Versus-

Sabyasachi Mallick Choudhury & Ors.

..... Respondents



AFFIDAVIT OF COMPLIANCE

INDRADEEP GHOSH, ADVOCATE,

C/O Mr. ABHISEK BARAN DAS
ADVOCATE

8, KPC Street,
Kolkata- 700 001;
Email: ghoshindradeep506@gmail.com
Mob: 7003321437