

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

Original Application No.55/2024/EZ
(Arising out of earlier O.A. No.17/2024/BP)

In the matter of:

Sanu DasPetitioner

-Versus-

State of Odisha & OthersOpp. Parties

I N D E X

Sl. No.	Description of the documents	Pages
A.	Affidavit	1-5
1.	<u>ANNEXURE- R6/4</u> Copy of the proceeding of the meeting held on 07.12.2024.	6, 7
2.	<u>ANNEXURE- R6/5</u> Copy of the letter dtd.08.01.2025 addressed to the Secretary, BDA.	8, 9

Cuttack

Date 21/1/2025

By the Opp. Party through,

A. Dash

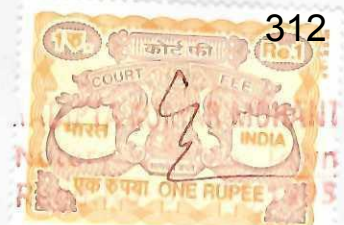
Advocate

DAYANANDA MOHAPATRA

Enrl No-0-563/1992

Ph No. 9861250969

dayanandamohapatra@yahoo.co.uk



**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, EASTERN ZONE BENCH,
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State of Odisha & OthersOpp. Parties

**FURTHER STATUS REPORT IN THE FORM OF
AFFIDAVIT FILED ON BEHALF OF OPP.
PARTY NO. 6, BHUBANESWAR
DEVELOPMENT AUTHORITY**

I, Shri Dr. N. Thirumala Naik, aged about 44 years, Son of M. Ramudu, presently functioning as Vice-Chairman in the Establishment of Bhubaneswar Development Authority, Akash Sobha building, Sachivalaya Marg, Bhubaneswar, Dist.- Khurda do hereby solemnly affirm and state as follows:-

1. That as revealed from the Record the petitioner filed aforesaid application concerning development of the storm water drain project of Respondent No. 5 and one Trident Project. The Hon'ble Tribunal on order dtd.23.04.2024 was pleased to direct impletion of Bhubaneswar Development Authority as Respondent No. 6 and required the Respondent to file Counter

*A. Dash
Adv*

N. Thirumala Naik
VICE-CHAIRMAN
BHUBANESWAR DEV. AUTHORITY
BHUBANESWAR

Pradipta
PRADIPTA KUMAR MOHANTY
Notary, Cuttack Town
Regd.No-ON-04/1995

-2-

Affidavit indicating the action taken regarding construction of the Storm Water Drain.

2. That the deponent appeared in the case through its counsel and filed its affidavit dtd.22.11.2024 through online. The Hon'ble Tribunal was pleased to consider the said affidavit and on order dtd.27.11.2024 directed BDA to file further status report with regard to construction of drain in shape of affidavit within four weeks.

3. That at the outset, it is humbly submitted that the fact stated in different paragraphs of the affidavit dtd.22.11.2024 may be treated as part and parcel of this affidavit and those contentions are not reiterated for the sake of brevity.

4. That the deponent humbly submits that in compliance of the order dtd.27.11.2024 a meeting was held on 07.12.2024 presided by the Vice Chairman, BDA with the following members:

- i. Secretary, BDA
- ii. Deputy Commissioner (T.P. Scheme)
- iii. Executive Engineer, Divn-1, BDA
- iv. Associate Town planner, BDA
- v. Representative of M/S- Trident Properties Pvt. Ltd.
- vi. Representative of M/S- Kidey Reality Pvt. Ltd.

5. That the aforesaid meeting held on 07.12.2024 considered the suggestion and recommendation of the

N. Trinwala Naik

VICE-CHAIRMAN
BHUPANESWAR DEV. AUTHORITY
BHUBANESWAR

*A. Dash
Adv*

My
PRADIPTA KUMAR MOHANTY
Notary, Cuttack Town
Regd.No-ON-04/1995

-3-

Committee dtd.22.10.2024 with regard to construction of the drain for easy flow of storm water to the natural nallah from the tail end to the disposal point of M/S Trident Galaxy Pvt. Ltd. apartment. The Executive Engineer, Divn-1 explained the recommendation made and its efficacy to ensure smooth flow of storm water to the natural nallah.

6. That after thorough discussion upon recommendation made on 22.10.2024, the Committee agreed to the same and required the Trident Properties Pvt. Ltd. to implement the recommendation of the Committee while constructing proposed drain and to undertake such construction under the direct supervision of Executive Engineer, Divn-1, BDA.

7. That in the said meeting, it was also resolved that M/S Kridey Reality Pvt. Ltd. is to cooperate in the construction of drain and the construction shall be made by the project proponent at their own cost. For this purpose, Executive Engineer, Divn-1 shall organize a virtual meeting with the technical wings to explain the modalities so as to ensure completion of construction activities within 30 days.

The copy of the proceeding of the meeting held on 07.12.2024 is filed as ANNEXURE- R6/4 for kind perusal.

8. That in consonance with the aforesaid discussion, necessary demarcation of the drain alignment along with proposed drain invert level at the site has already

PRADIPTA KUMAR MOHANTY
Notary, Cuttack Town
Regd.No-ON-04/1995

N. Thirumala Naik

VICE-CHAIRMAN
BHUBANESWAR DEV. AUTHORITY
BHUPA NIESWAR

A. Dash
sdv

- 4 -

been provided to Trident Galaxy Pvt. Ltd. In the meanwhile materials have been procured and base work has already been initiated by Trident Galaxy Pvt. Ltd. In this connection the Executive Engineer, Divn-1 furnished the report concerning development of construction of drain at the site in its letter dtd.08.01.2025 addressed to the Secretary, BDA, the copy of which with enclosure is enclosed as ANNEXURE- R6/5 for kind perusal.

9. That at the outset, it is humbly submitted that the report of the Executive Engineer, Divn-1 reveal that in the meanwhile the approach road to the proposed 200 ft. Road have already been completed. It is expected that the construction of the drainage work as suggested shall be expedited and completed at earliest possible. Accordingly the deponent humbly request to grant leave to file further status report before the Hon'ble NGT in case so directed specifying the progress of the construction work for consideration of Hon'ble NGT in the subsequent affidavit. Accordingly, the deponent seeks leave of the Hon'ble Tribuna.

10. That the facts stated in different paragraphs of this affidavit are based on record(s) and document(s) available in the Office of Bhubaneswar Development Authority and to the personal knowledge of the deponent which he believes to be true and correct.

N. Trivumala Naik

VICE-CHAIRMAN
BHUBANESWAR DEV. AUTHORITY
BHUBANESWAR

A. Dash
Adv

PRADIPTA KUMAR MOHANTY
Notary, Cuttack town
Regd.No-ON-04/1995

5 -

11. That the deponent seeks leave to file additional affidavit(s), document(s) in case required for just adjudication of the case.

Identified by

N. Thirumala Naik
Deponent
VICE-CHAIRMAN
BHUBANESWAR DEV. AUTHORITY
BHUBANESWAR

A. Dash

Advocate
Cuttack
Date - 15.01.2025

DAYANANDA MOHAPATRA
Enrl No-0-563/1992
Ph No. 9861250969
dayanandamohapatra@yahoo.co.uk



Solemnly sworn before
me by..... *N. T. Naik*
being identified by..... *A. Dash Advocate*
at Cuttack Town Dated..... *15/01/2025*
15/01/2025
P.K. MOHANTY, Notary, Cuttack Town
Regd. No-ON-04, 1995

- 6 -

Annexure - R6/4

(216)

PROCEEDING OF THE MEETING HELD ON 07.12.2024 AT 11.00 A.M. IN THE 1ST FLOOR CONFERENCE HALL, BDA UNDER THE CHAIRMANSHIP OF VICE-CHARIMAN, BDA.

The meeting was held on 07.12.2024 at 11.00 A.M. with the following members to consider the suggestion / recommendation dtd. 22.10.2024 of the committee with regard to construction of drain for easy flow of storm water to the natural nallah from the tail end of disposal point of M/S-Trident Galaxy Apartment.

Members Present-

- 1. Secretary, BDA**
- 2. Deputy Commissioner (T.P. Scheme)**
- 3. Executive Engineer, Divn-1, BDA**
- 4. Omkar Mohanty, Associate Town Planner, BDA**
- 5. Representative of M/S-Trident Properties Pvt. Ltd.**
- 6. Representative of M/S-Kridey Reality Pvt. Ltd.**

The matter was discussed among the members with reference to the recommendation dtd. 22.10.2024 of the committee.

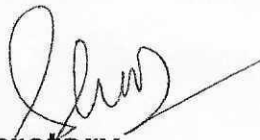
The Executive Engineer, Divn-1 explained the committee recommendation made during their visit on 22.10.2024. After through discussion on the recommendation, the Trident Properties Pvt.Ltd. is instructed to implement the recommendation dt.22.10.2024 of the committee under the direct supervision of Executive Engineer, Divn-1, BDA. M/S- Kridey Reality Pvt. Ltd. is to cooperate in the matter of construction of drain. It was also decided that the drain shall be constructed by the project proponent at their own cost. The Executive Engineer, Divn-1 shall organize a virtual meeting with the technical wings

- 7 -


215

of both project proponents to explain the modalities. The Construction activities should be completed within 30 days. The Executive Engineer, Divn-1 is to submit status report of construction at regular intervals.

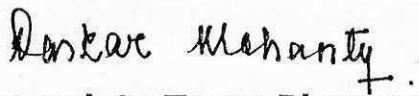
The meeting ended with thanks to the chair.


Secretary


Vice-Chairman


Dy. Commissioner (T.P. Scheme)


Executive Engineer-1


Associate Town Planner

M/S-Kridey Realiity Pvt. Ltd.


M/s- Trident Properties Pvt. Ltd.

8- Annexure - R6/5

223



Bhubaneswar Development Authority

AKASH SHOVA BUILDING, PANDIT JAWAHARLAL NEHRU MARG
BHUBANESWAR- 751 001, ODISHA

Telephone: (0674) 2396437, 2390998, 2392801, FAX: 0674- 2390633

No. 28 (A/G) /Divn.I/BDA, Bhubaneswar, the 08 th. Jan-2025.

To ✓
The Secretary,
BDA, Bhubaneswar.

Sub: OA NO.55/24/EZ in the Court of Hon'ble National Green Tribunal (Eastern Zone), Kolkata.-
Regarding present status of work.

Ref:- Letter No.538/BDA dtd-07.01.2025.
Case-253/24

Sir,

With reference to the subject cited above, it is to intimate that, demarcation of drain alignment along with proposed drain invert level has been provided at site to Trident Galaxy Pvt. Ltd. Accordingly the materials has been procured and base work has been initiated at site by Trident Galaxy Pvt. Ltd. In this regard Trident Galaxy Pvt. Ltd. has also submitted the status of work with plan of execution to this office which is enclosed herewith for your kind reference.

Encl:- As above.

Yours faithfully,

[Signature]
08/01/25

Executive Engineer,
Division No.I, BDA.

[Handwritten notes]
i R-ke...
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Memo No. 29 /Divn.I/BDA, Bhubaneswar, the 08 th. Jan-2025.
Copy submitted to Engineer Member, BDA, Bhubaneswar for favour of kind information.

[Signature]
08/01/25

Executive Engineer,
Division No.I, BDA.

[Handwritten notes]
...
...

Memo No. 30 /Divn.I/BDA, Bhubaneswar, the 08 th. Jan-2025.
Copy to Dy. Commissioner, T.P.Scheme, BDA, Bhubaneswar for information.

[Signature]
08/01/25

Executive Engineer,
Division No.I, BDA.

Memo No. 31 /Divn.I/BDA, Bhubaneswar, the 08 th. Jan-2025.
Copy forwarded to OSD, Legal, BDA, Bhubaneswar for information.

[Signature]
08/01/25

Executive Engineer,
Division No.I, BDA.

Memo No. 32 /Divn.I/BDA, Bhubaneswar, the 08 th. Jan-2025.
Copy forwarded to Trident Galaxy Pvt. Ltd., Bhubaneswar for information.

[Signature]
08/01/25

Executive Engineer,
Division No.I, BDA.



-9-

C222

Trident Properties Pvt. Ltd.

To,
The Executive Engineer,
Division -1,
BDA,
Bhubaneswar.

07.01.2025

Sub: Commencement of work construction of storm water drain up to the natural nala.
Ref: BDA letter No:34625/BDA, BBSR, Dt. 13.12.2024

Sir,

In inviting your attention to the above-mentioned subject, we have started the process to start the construction of the stormwater drain as per the directions in your above referred letter.

We have already purchased the Hume pipes required as per the requirement and completed the approach road to the proposed 200ft road.

We propose to complete the crossing of the proposed 200ft road first, simultaneously starting the work on the connecting road to the Natural Nala.

This for your kind information.

Thanking You
Yours sincerely.

M.V. Shashi Kumar
(Authorised Signatory)

38/Div 1

8.1.25