

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

**ORIGINAL APPICATION NO. 81 OF 2025  
(Filed under Section 14 read with Section 15 of the  
National Green Tribunal Act, 2010)**

**In the matter of :**

**Tarun Prakash**

**.....Applicant**

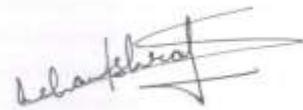
**Versus**

**The State of Bihar & Ors.**

**.... Respondents**

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KOLKATA

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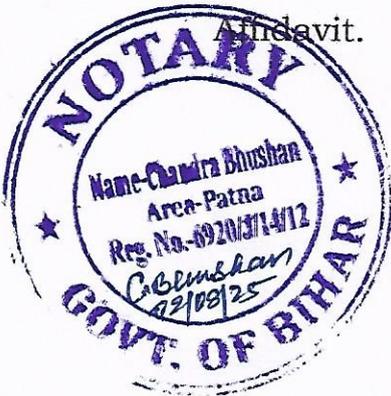
.... Respondents

REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT

I, Tarun Prakash, aged 34 years (Aadhar no. 950153274433), S/o  
Ramnath Singh, R/o Lah Bazar, Chapra, Saran, Bihar - 841301,  
do hereby solemnly affirm and state as follows:

1. That I am the Applicant in the above-mentioned Original  
Application and am familiar with the facts and circumstances  
of the cases. I am competent and fully authorised to swear this

Affidavit.



Sri/Smt. Tarun Prakash  
who is identified by Sri/Smt. Am Kumar  
Advocate, solemnly affirmed and  
declared before me.  
Chandra Bhushan  
Notary Public, Patna  
(Chandra Bhushan)  
Notary Public, Patna  
02/08/2025

SL. No. 15903 Date 02/08/2025

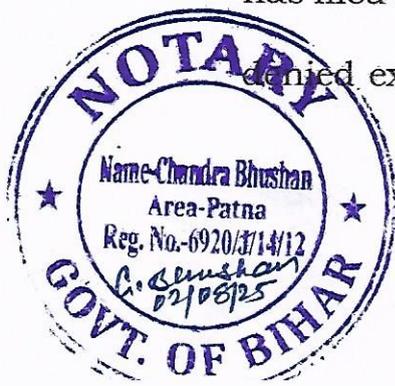
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2. That the Applicant has read and understood the counter affidavit filed by Respondent No.2 and the reply to the same is as under.
3. At the outset, it is submitted that all the submissions made by Respondent No.2 are deemed to be denied unless specifically admitted.

### PRELIMINARY SUBMISSIONS

4. The Applicant has instituted the present Original Application before this Hon'ble Tribunal seeking immediate remedial and deterrent action against the ongoing illegal and environmentally detrimental functioning of a marriage hall namely, M/s Nutan Vivah Bhawan (Respondent No.6). The said marriage hall is operating in a densely populated residential area without having secured the requisite statutory permissions, namely the Consent to Establish (CTE) and Consent to Operate (CTO) under the provisions of the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.

5. In response to the present application, the Respondent no. 2 has filed a counter affidavit, the averments of which are broadly denied except where expressly admitted in this rejoinder. It is

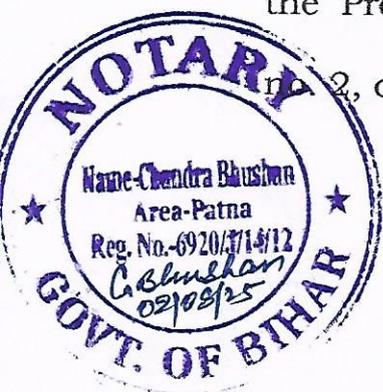


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respectfully submitted that the counter affidavit seeks to deflect attention from continuing statutory violations and offers no credible justification for the Respondents' failure to comply with binding environmental norms and obligations under the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981

**Para-wise Reply to Counter Affidavit**

6. That in reply to para 3, it is stated that there is a continued violation of environmental statute's and non-compliance of order passed by District Lok Shikayat Niwaran Officer on 29.08.2020 to stop the illegal construction of the marriage hall.
7. It is respectfully reiterated that Respondent No. 6 is operating the establishment known as "Nutan Vivah Bhawan" in clear violation of applicable land use and zoning regulations, thereby causing a sustained environmental nuisance and public inconvenience within a predominantly residential locality.
8. That in reply to para 3, it is stated that failing to file a reply to the 'Proposed Direction for Closure' issued by the respondent no. 2, contained in memo no. 177818 dated 09.12.2024 by the

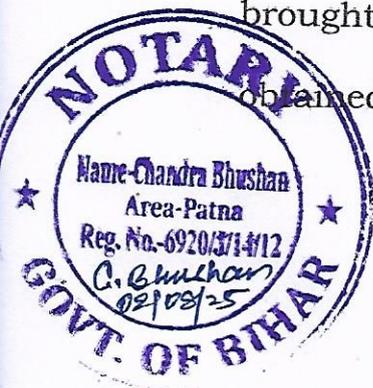


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respondent no. 6 has not been dealt accordingly. That despite the aforesaid direction, the operator not only failed to reply to the said direction but also booked the same premises for marriage functions in the month of April 2025 with all the deformity & without any permission or compliance to the aforesaid direction. No coercive action was taken pursuant to the aforesaid 'Proposed Direction for Closure'. That no fine was imposed on respondent no. 6 for failing to comply with the direction of the respondent no. 2.

9. That in reply to para 6, it is stated that same is a matter of operations/guidelines of the respondent no. 6 hence need no reply.

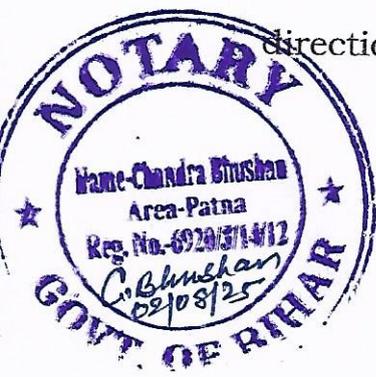
10. That in reply to para 5, it is stated that no action was taken against the respondent no. 6 from 09.12.2024 till 11.06.2025. The marriage hall continued to function till April 2025 in clear violation of the 'Proposed Direction for Closure'. That during the inspection it is mentioned by the respondent no. 2 that fire extinguisher are installed whereas no document has been brought on record to show that no objection certificate was obtained from the fire officer/fire safety department of the



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concerned jurisdiction. That as per respondent no. 2, after inspection of the marriage hall the respondent no. 6 accepted on running the premises till April 2025 which is clear violation of 'Proposed Closure Direction' issued by the respondent no. 2 for more than 7 months. That on the date of inspection, as per respondent no.2, the premises was closed, it is submitted that the inspection was carried out during a period when traditionally it is not the period for marriages in the region therefore, opening a marriage hall in an off-season is of no use. That the respondent no. 6 clearly shows that they are defiant of laws & gives no importance to any directions of any competent authority. It shows the apathy & lack of devotion & conscientiousness towards its own laws & also giving undue favour to an illegal operator of marriage hall reasons best known to respondent no. 2. It is pertinent to mention that inspection was carried out only after involvement of this Hon'ble Tribunal.

11. In reply to para 6, it is stated that the respondent no. 6 has been in clear violation of statutory authorities' directions since 2020. Respondent no.6 has also been in violation of respondent no.2's direction since past 8 months.

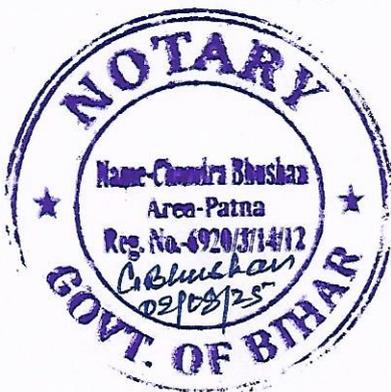


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12. In view of the submissions above, it is prayed that in view of the contemptuous disregard of the orders of Proposed Direction for Closure dated 11.06.2025 of the state pollution control board by the respondent no. 6 as per which the respondent no. 6 was given opportunity to file objection to the proposed action of closure of marriage hall within 15 days but failed to do so therefore, it is prayed that the respondents be directed to file report of closure of the marriage hall. Additionally, respondent no. 6 be directed to close the marriage hall and file an affidavit to that effect. It is prayed that this matter be kept pending before this Hon'ble Tribunal till the aforesaid affidavits are filed, so that the respondent no. 6 is not permitted to willfully defy the orders of the State Pollution Control Board, as it has repeatedly done in the past.

13. In view of the aforesaid submissions, the applicant prays that the rejoinder be taken on record in the present application.

14. That the statement made in paragraph 1 to ..13. are true to my knowledge and my information, derived from the relevant



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record of this case which I believe to be true and the rest are by way of my humble submission before this Hon'ble Tribunal.

*Tarun Prakash*

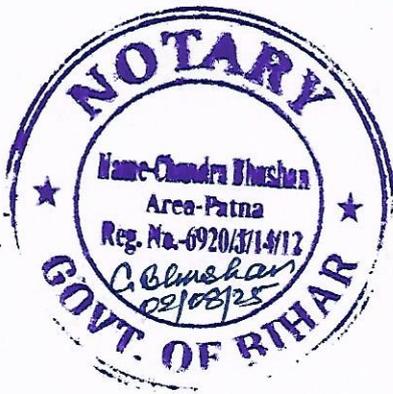
DEPONENT

VERIFICATION

Verified at Patna on this 2nd August, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

*Tarun Prakash*

DEPONENT



I identify the deponent/executor who has signed/put L.T.I. in my presence *Arun Kumar*

ADVOCATE  
2/8/25

Rejoinder to counter affidavit of Respondent no. 2 on behalf of the Applicant in the matter of Tarun Prakash Vs. State of Bihar (O.A. No. 81/2025/EZ) pending before the National Green Tribunal

Shehan Ashraf - Lexolve Partners <sashraf@lexolvepartners.com>

8/4/2025 - 6:13 pm

To: surendra\_kr15@rediffmail.com, amritalegal@gmail.com, ghanshyamlegal@gmail.com

Cc: rrai@lexolvepartners.com, jhasameersc@gmail.com

1 attachment (2 MB)



Sir/Ma'am,

Please find attached herewith Rejoinder on behalf of Applicant to Counter Affidavit of Respondent no. 2 in the above captioned matter.

**Best regards,**

**Shehan Ashraf**  
**Associate**



**Lexolve Partners**  
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