

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

Execution Application No. 3/2022/EZ

(Arising out of O. A. No.129/2016/EZ

disposed of on 17.08.2021)

WILDLIFE SOCIETY OF ORISSA

.....APPLICANT (S)

-VERSUS-

STATE OF ODISHA & ORS.

.....RESPONDENT(S)

I N D E X

Sl.No.	Description of Documents	Pages
1.	Affidavit filed on behalf of the Respondents.	01-03
2.	<u>ANNEXURE-A</u> Copy of Order dated 04.05.2023 passed in W.P.(C) No. 14057 of 2023.	4-5
3.	<u>ANNEXURE-B</u> Copy of the Order dated 11.10.2023 passed by the Hon'ble High Court of Orissa in W.P.(C) No. 14056 of 2022 tagged with W. P. (C) No. 14057 of 2023.	6-7

Cuttack

Date: 10.02.2026


Addl. Government Advocate

SANJAY RATH

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Email: adv.sanjayrath@gmail.com

EN.No. O-1103/2007



1st copy

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STATE OF ODISHA & ORS.

.....RESPONDENT(S)

**AFFIDAVIT FILED ON BEHALF OF THE
RESPONDENTS**

I, Sri Ramapada Arabinda Mishra, aged about 53 years, S/o Late Durga Charan Mishra, at present serving as Deputy Conservator of Forests in the office of the Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden, Odisha, At.- Prakruti Bhawan, Sahid Nagar, P.O.- Sahid Nagar, Bhubaneswar, Dist- Khordha, do hereby solemnly affirm and state as follows;

1. That, I have been duly authorized by the State Respondents for filing this affidavit.
2. That this Hon'ble Tribunal vide Order dated 06.04.2023 passed in the present Execution Application No, 03/2022/EZ arising out of O.A. No. 129/2016/EZ had been pleased to direct the State

Ramapada Arabinda Mishra

AB
10.02.26
AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
REGD. NO.-ON-56/2004

after two weeks. The relevant portion is reproduced herein below:

XXX XXX XXX

“5. Call this matter after two weeks.”

XXX XXX XXX

Copy of the Order dtd 11.10.2023 passed by the Hon’ble High Court of Orissa in W.P.(C) No. 14706 of 2022 tagged with W. P. (C) No. 14057 of 2023 is filed herewith and marked as **ANNEXURE-B.**

- 7. That it is most humbly submitted that the aforesaid writ petitions have not been come to be heard by the Hon’ble High Court in the mean time.
- 8. That, in view of the facts mentioned herein above, it is humbly prayed before this Hon’ble Tribunal may be pleased to kindly adjourn the hearing of the Execution Application no. 03 of 2022/EZ till disposal of the W.P.(C) No. 14057 of 2023 by the Hon’ble High Court of Orissa.
- 9. That, the facts stated above are true to the best of my knowledge and belief and based on records.

Identified By
Advocate

Ramapada Arabinada Mishra
Dy. Conservator of Forests
DEPONENT
CWLW
Odisha, Bhubaneswar

CERTIFICATE

Certified that due to non-availability of cartridge papers, the instant affidavit has been typed on thick

white papers
The ~~white~~ *deponen.* being identified by *Personally him Adv* solemnly affirm and states before me that the contents of this *Adv* are true to the best of *his* *her* *their* knowledge and belief
Addl. Govt. Advocate

11.02.26
AMBIKA PRASAD RAY
NOTARY, CUTTACK TOWN
Regd. No.-ON-56/2004



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14057 of 2023

State of Odisha and others *Petitioners*Mr. Ashok Kumar Parija, Advocate General
Assisted by Mr. Tarun Patnaik, Addl. Standing Counsel

-versus-

*Wildlife Society of Orissa (Elephant
Corridors) and another* *Opposite Parties*Mr. P.K. Parhi, DSGI along with Mr. S.S. Kashyap, CGC for
Opp. Party No.2CORAM:
THE CHIEF JUSTICE
JUSTICE G. SATAPATHYOrder No.ORDER
04.05.2023W.P.(C) No.14057 of 2023

01. 1. Mr. Ashok Kumar Parija, learned Advocate General appearing for the Petitioners-State of Orissa draws attention to an order dated 14th March, 2023 passed by the National Green Tribunal (NGT), Eastern Zone Bench, Kolkata which notes in para 4 of that order that this Court was seized of W.P.(C)-PIL No.14706 of 2022 (*Gita Rout v. State of Odisha*) on the same issue of notification of an elephant corridor in the State of Odisha.
2. However, in the subsequent order dated 6th April 2023, an ultimatum was given by the NGT to the State of Odisha to notify the elephant corridor within a month thereafter and "no more" stating that "otherwise the concerned authorities shall be liable under Section 26 of the National Green Tribunal Act".

3. The next date of hearing in W.P.(C)-PIL No.14706 of 2022 is on the very same date that the NGT has next listed the matter, i.e., 9th May, 2023. This Court has in fact passed a series of orders in the said PIL, all of which, Mr. Parija states were brought to the notice of the NGT.

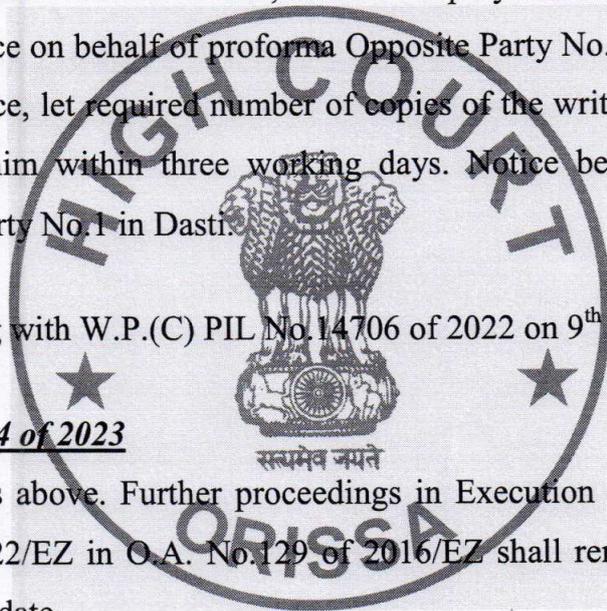
4. Parallel proceedings both in the NGT and this Court on the same issue is not desirable.

5. Issue notice. Mr. P.K. Parhi, learned Deputy Solicitor General accepts notice on behalf of proforma Opposite Party No.2. Since he accepts notice, let required number of copies of the writ petition be served on him within three working days. Notice be served on Opposite Party No.1 in Dasti.

6. List along with W.P.(C) PIL No.14706 of 2022 on 9th May, 2023.

I.A. No.6544 of 2023

7. Notice as above. Further proceedings in Execution Application No.3 of 2022/EZ in O.A. No.129 of 2016/EZ shall remain stayed till the next date.



True copy attested
 Ramapada Anabinda Mishra
 Dy. Conservator of Forests
 O/o the PCCF (WL) & CWLW
 Odisha, Bhubaneswar

S. Behera

SUMANTA BEHERA
 Digitally signed by
 SUMANTA BEHERA
 Date: 2023.05.05
 10:39:06 +05'30'

(Dr. S. Muralidhar)
 Chief Justice

(G. Satapathy)
 Judge

IN THE HIGH COURT OF ORISSA AT CUTTACK
W. P. (C) No.14706 of 2022 and other connected matters

Gita Rout and another

Petitioners

Mr. Ashis Kumar Mishra, Advocate,
 Ms. Mrinalini Padhi, in person (W.P.(C) No.19625 of 2015),
 Mr. Gautam Mishra, Senior Advocate and associates
 (in W.P.(C) No.22421 of 2015),
 Mr. Akhaya Biswal, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. Debakanta Mohanty, AGA with Mr. Ishwar Mohanty, ASC,
 Mr. Manoj V. Nair, Chief Conservator of Forest (WL) along with
 Mr. Himansu Sekhar Mohanty, DCF, Joint Task Force (JTF),
 Mr. Purusotam Sethi, Addl. S.P., JTF &
 Mr. Ramapada Aurovinda Mishra, Assistant Conservator of
 Forest, JTF,
 Mr. P. K. Parhi, DSGI

CORAM:

ACTING CHIEF JUSTICE DR. B. R. SARANGI
 MR. JUSTICE MURAHARI SRI RAMAN

ORDER

11.10.2023

Order No.

21.

1. The matter is taken up through hybrid mode.
2. In compliance with the order of this Court dated 25th September, 2023, a presentation has been made by Mr. Manoj V. Nair, Chief Conservator of Forest (WL) in the New Conference Hall. Mr. Nair has explained briefly relating to the various steps taken by the Government and the other agencies for conservation of wildlife, specifically the elephants and has also prepared a comprehensive action plan in this regard.
3. We along with other learned counsel have heard Mr. Nair and seen the presentation.

3. The next date of hearing in W.P.(C)-PIL No.14706 of 2022 is on the very same date that the NGT has next listed the matter, i.e., 9th May, 2023. This Court has in fact passed a series of orders in the said PIL, all of which, Mr. Parija states were brought to the notice of the NGT.

4. Parallel proceedings both in the NGT and this Court on the same issue is not desirable.

5. Issue notice. Mr. P.K. Parhi, learned Deputy Solicitor General accepts notice on behalf of proforma Opposite Party No.2. Since he accepts notice, let required number of copies of the writ petition be served on him within three working days. Notice be served on Opposite Party No.1 in Dasti.

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True Copy attested
Ramapada Anandinda Mishra

Dy. Conservator of Forests
O/o the PCCF (WL) & CWLW
Odisha, Bhubaneswar
S. Behera

SUMANTA BEHERA
Digitally signed by
SUMANTA BEHERA
Date: 2023.05.05
10:39:06 +05'30'

(Dr. S. Muralidhar)
Chief Justice

(G. Satapathy)
Judge