

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
I. A. No. **47** of 2026/EZ  
(Arising out of Miscellaneous Application No. 28/2025/EZ)  
In  
(Original Application No. 186/2024/EZ)



In The Matter of:

An application Under Section 19(4)(a) read with Under Section 18 (1) of the National Green Tribunal Act, 2010 for modification of Solemn Order dated 12.03.2026, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in connection with the instant Miscellaneous Application No. 28/2025/EZ, Arising out of Original Application No. 186/2024/EZ;

AND

In The Matter of:

District Magistrate & Collector, South  
(24) Parganas

... Applicant

-Versus-

Sabir Khan & Ors.

...Respondents

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Filed by:

*Sibojyoti Chakrabarti*

Mr. SIBOJYOTI CHAKRABARTI,

Advocate,

State of West Bengal

(M): 9007035534

Email: subho.advocate@gmail.com

-X-

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
I. A. No. of 2026/EZ  
(Arising out of Miscellaneous Application No. 28/2025/EZ)  
In  
(Original Application No. 186/2024/EZ)



In The Matter of:  
An application Under Section 19(4)(a)  
read with Under Section 18 (1) of the  
National Green Tribunal Act, 2010 for  
modification of Solemn Order dated  
12.03.2026, passed by the Hon'ble  
National Green Tribunal, Eastern Zone  
Bench, Kolkata in connection with the  
instant Miscellaneous Application No.  
28/2025/EZ, Arising out of Original  
Application No. 186/2024/EZ;

AND

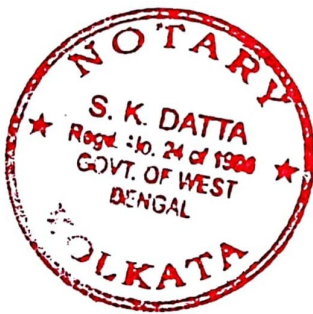
In The Matter of:  
District Magistrate & Collector South  
(24) Parganas, having office at New  
Administrative Building, Alipore,  
Kolkata: 700027.

E-mail : subho.advocate@gmail.com

..... Applicant.

-Versus-

1. Mr. Sabir Khan, S/o Mr Marhum  
Samsuddin Khan, residing at Panchur



Molla Para, P.S- Mahestala, Kolkata:  
700066.

Email: unknown

.... Respondent No.  
1/Applicant in O.A  
186/2024/EZ

2. The Department of Environment,  
notice through the Additional Chief  
Secretary, Department of Environment,  
Government of West Bengal  
“Pranisampad Bhaban”, 5<sup>th</sup> Floor, LB-II,  
Sector- III, Bidhannagar, Kolkata-  
700106.

E-mail: psecy.env-wb@gov.in

3. The West Bengal Pollution Control  
Board represented through its Member  
Secretary, having office at 10A, Block-  
LA, Sector-III, Salt Lake City, Kolkata:  
700106.

Email: : net.wbpcb-wb@bangla.gov.in

4. Sri Nasiruddin Khan,



-\*-

S/o Kader Box Khan, residing at  
Village: Panchur Mondal Para, Janta  
Club, PP.S- Rabindranagar, Kolkata:  
700066.

Email: unknow

..Respondents



To,

The Hon'ble Chairperson and His Companion Member of the said Hon'ble  
Tribunal.

The Humble petition on behalf of the  
applicant as above named most  
respectfully

SHEWETH:

1. That the instant original application has been filed by the applicant and the same is pending for adjudication before this Hon'ble Tribunal.
2. That the instant original applicant being case no. O.A 186/2024/EZ was filed by the Respondent no. 1 i.e. Mr. Sabir Khan before the Hon'ble Tribunal with an allegation of illegal filling of a pond situated over L.R Plot no. 62 of Mouza Makhalthati, J.L no. 2 under Thakurpur -Mahestala Block by stacking of garbage and construction material.

3. That the Joint Committee constituted by Hon'ble Tribunal visited the suit plot and submitted its observations as per the order of the hon'ble tribunal, in which the joint committee has stated that the water body almost entirely covered with pile of garbage and water hyacinth, a clear indication towards the ill-maintenance of the water body that made the water non-suitable for consumption.
  
4. That the District Magistrate, South 24 Parganas has communicated the matter and directed the Sub Divisional Officer, Alipore Sadar Sub Division, South 24 Parganas, and the Executive Officer, Mahestala Municipality, South 24 Parganas to comply the order of the Hon'ble Tribunal, by cleaning the garbage and restoring the water body to its original character and submit the compliance report hereto.
  
5. That the Sub Divisional Officer has submitted the compliance report on 18.03.2025 along with coloured picture of the pond after complete restoration from which it is evident that the compliance of the solemn order of the Hon'ble Tribunal has been complied in toto.
  
6. That a M.A has been filed being case no. M.A 28/2025/EZ in the same matter by the Hon'ble Tribunal and the District Magistrate, South 24 Parganas has complied the solemn order of the Hon'ble Tribunal and submitted the report in the form of affidavit by 11.03.2026



7. That during the course of hearing on 12.03.2026 it has been observed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata that although the report dated 11.03.2026 has been filed by the Additional District Magistrate and District Land & Land Reforms Officer, on behalf of the District Magistrate and Collector South (24) Parganas by e-mail as the same could not be filed through e-filing due to technical glitch. However the pen-drive containing the video recording of the present status of the water body has not been filed, in view of the above facts and circumstances the Hon'ble Tribunal has considered personal appearance of the District Magistrate, South 24 Parganas essential for assisting this Tribunal in ensuring just and proper compliance with the orders passed by the Tribunal.
8. That in this regard the applicant at the commencement tenders unconditional apology and also submits that the applicant through his learned advocate has already sent the pen drive through speed post to the Registry of the Hon'ble Tribunal along with the forwarding letter and also sent soft copy of the same to the Registry of the Hon'ble Tribunal through email.
- Photocopy of the Forwarding Letter and receipts of speed post along with article track report as obtained from the website of India Posts are collectively annexed herewith and marked with the letter 'P-1'.
9. That it is also stated that this applicant has high regards to the Majesty and Dignity of the Hon'ble Tribunal and is always duty bound



to comply with any Order/Orders and directions as may be directed by the Hon'ble Tribunal.

10. That the directions as given in paragraphs 9 and 11 of the Solemn Order dated 12.03.2026 have already been complied by the applicant.

11. That it is further stated and submitted that in paragraph 13 of the Said Solemn Order it has been stated that a copy of this Order may be sent to the Chief Secretary, Government of West Bengal and the District Magistrate South (24) Parganas for requisite compliance.

Photocopy of the server copy of the Solemn Order dated 12.03.2026 is annexed herewith and marked with the letter 'P-2'.

12. That it is most humbly submitted before this Hon'ble Tribunal that taking into consideration the fact that the directions of the Hon'ble Tribunal have already been complied the Hon'ble Tribunal may kindly be pleased to waive and expunge the personal appearance of the applicant being the District Magistrate and Collector South (24) Parganas and further be pleased to modify the Solemn Order dated 12.03.2026 to the extent to expunge the remarks made in paragraph 13 of the Solemn order dated 12.03.2026 passed by the Hon'ble Tribunal.



13. That this application is made bonafide and unless this application is allowed by this Hon'ble Tribunal the applicant will suffer irreparable loss and injury.

Under the above circumstances it is most humbly prayed before Your Lordships may kindly be pleased to allow this application for modification of Solemn Order dated 12.03.2025 and be pleased to modify the said solemn Order passed by the Tribunal and also waive the personal appearance of the District Magistrate & Collector South (24) Parganas and modify the said solemn Order to the extent to expunge the remarks made in paragraph 13 of the said solemn order passed by the Hon'ble Tribunal and to pass such further Order/Orders as to this Hon'ble Tribunal may deem fit and proper for the ends of justice.



And For This Act of Kindness Your Applicant as in duty bound shall ever pray.



- 9 -  
AFFIDAVIT

I, SRI Abhishek Kumar Tiwary, S/o Om Prakash Tiwari, aged about 41 years, by faith- Hinduism, by occupation- service, and having office at New Treasury Building, Alipore, Kolkata: 700027, do hereby solemnly affirm and declare as follows: -

1. That I am the applicant in the instant Interlocutory Application and well conversant with the fact and circumstance of the case and I am competent to sign and swear this affidavit.
2. That I have read and Understood the contents of the accompanying application and say that the facts stated above are true and correct as per my personal knowledge and legal advice received by me are the best of my knowledge and belief.

Identified by me

*Sibajyoti Chakrabarti*  
Advocate      18.04.2026

State of West Bengal

*Abhishek Tiwary*

DEPONENT  
District Magistrate  
&  
Collector  
South 24 Parganas

S.L. NO. 01/19/04/2026



Solemnly Affirmed  
&  
Declared before me  
on identification of Advocate  
*S. K. DATTA*  
S. K. DATTA  
NOTARY

SANTOSH KUMAR DATTA on identification of Advocate  
NOTARY  
90/1A, Hari Ghosh Street  
Kolkata - 700 006  
Regn. No -24 of 1998

19 APR 2026

19.04.2026



- ~~X~~ -  
VERIFICATION:

I, the deponent above- named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at Kolkata on the 18th Day of April, 2026.

Identified by me

*S. Sujati Chakrabarti*  
 Advocate 18.04.2026

State of West Bengal

*Ranu Singh*

Deponent  
 District Magistrate  
 &  
 Collector  
 South 24 Parganas



*Sibojyoti Chakrabarti*

ADVOCATE  
HIGH COURT, CALCUTTA

Contact : 9007035534  
e-mail : subho.advocate@gmail.com

Residence :  
109, Sarat Chatterjee Road  
P.O. & P.S. Lake Town (Borat)  
Kolkata - 700 089, West Bengal  
Chamber :  
7, Old Post Office Street  
1st Floor, Room No - 14  
Kolkata - 700 001, West Bengal

Date : 18.03.2026

To  
The Learned Registrar,  
Hon'ble National Green Tribunal,  
EZ, Kolkata  
Finance Centre Mother's Wax Museum Building,  
3<sup>rd</sup> Floor, Block- IIIB,  
New Kolkata- 700157.

Sub: Submission of Pen Drive containing Video and Photographs  
in connection with M.A. No. 28 of 2025/EZ In O.A. No. 186 of 2024/EZ (Sabir Khan Versus  
State of West Bengal & ors.)

Respected Sir,

Kindly find enclosed pen drive containing video recording and photographs in  
compliance to the Solemn direction issued by the Hon'ble National Green Tribunal, Eastern  
Zone Bench, Kolkata in connection with the above captioned matter.

Kindly acknowledge the same.

With Regards,

Yours Faithfully,

*Sibojyoti Chakrabarti*  
Advocate  
State of West Bengal

Before The Hon'ble National Green Tribunal.

Eastern Zone Bench, Kolkata.




M.A. No. 28/2025/E2

<sup>in</sup>  
O.A. No. 186/2024/E2.

Sabir Khan

- Versus - State of West Bengal  
& ors.

INLAND SPEED POST DOCUMENT

EW324116956IN

|  |  |
|--|--|
| Delivery Office & Pincode: Habara SO(700157)   |  |
| Book Office: Belgharia HO (700056)   |  |
| Cour No. 6, 17-03-2026 13:21:46  |  |
| GST: 19AAAGB0479F1ZL BkgRefID: 3336002117032607291                                   |  |
| Char: Weigh(gms): 22 Phy. Wt(gms): 22 Vol. Wt(gms): NA(L: NA B: NA                   |  |
| H NA   |  |
| Amo Paid 23.00(Base Tariff-Rs.19 Tax-Rs.4) (CGST 2.00                                |  |
| SGS: 00 )  |  |
| Mod: Payment Cash  |  |
| Sender   | Receiver   |
| SIBOTI CHAKRABORTY<br>ADV<br>Mobil No. 9007035534<br>HIGH COURT CALCUTTA<br>LAKE OWN | THE LEARNED REGISTRAR<br>Mobile No. 1234567890<br>NATIONAL GREEN TRIBU<br>KOLKATA-700157 |

KOLKATA-700089  
In use of any complaint, please visit <https://form.indiapost.gov.in/customer>  
Go Green!!! Opt for eReceipts, ePOD  
This is system generated document, no manual signature required  
17-03-2025 13:33:46



Booked at  
Belgharia HO - 700056

Delivered

Destination  
Hatlira SO - 700157



Department of Posts  
Government of India  
Ministry of Communications

Generated through Indiapost website on: 19/3/2026, 8:33:25 pm

## Consignment/MO Tracking Report

Consignment/MO Number: EW324116956IN

Article Number:

EW324116956IN

Article Type:

SP\_INLAND\_DOC

Booked At:

Belgharia HO

Booked On:

17/03/2026, 13:32:08

Destination:

Hatlira SO

Origin Pincode:

700056

Delivered On:

19/03/2026, 20:20:50

Destination Pincode:

700157

| Event                    | Date       | Time     | Office       | Remarks |
|--------------------------|------------|----------|--------------|---------|
| Item Booked              | 17/03/2026 | 13:32:08 | Belgharia HO | -       |
| Item received at Hub     | 17/03/2026 | 21:29:10 | Kolkata NSH  | -       |
| Item bagged              | 18/03/2026 | 06:20:49 | Kolkata NSH  | -       |
| Item dispatched from Hub | 18/03/2026 | 06:28:07 | Kolkata NSH  | -       |
| Item dispatched from Hub | 18/03/2026 | 06:39:08 | KOL AP TMO   | -       |

| Event                        | Date       | Time     | Office                       | Remarks   |
|------------------------------|------------|----------|------------------------------|-----------|
| Item received at Destination | 18/03/2026 | 07:58:28 | Hatiara IDC                  | -         |
| Item Redirected              | 18/03/2026 | 12:45:21 | Hatiara IDC                  | Missent   |
| Item bagged                  | 18/03/2026 | 13:43:38 | Hatiara IDC                  | -         |
| Item dispatched from Hub     | 18/03/2026 | 13:59:24 | Hatiara IDC                  | -         |
| Item dispatched from Hub     | 18/03/2026 | 22:06:53 | KOL AP TMO                   | -         |
| Item received at Hub         | 18/03/2026 | 23:16:57 | Kolkata NSH                  | -         |
| Item bagged                  | 19/03/2026 | 05:18:23 | Kolkata NSH                  | -         |
| Item dispatched from Hub     | 19/03/2026 | 05:29:16 | Kolkata NSH                  | -         |
| Item dispatched from Hub     | 19/03/2026 | 06:03:20 | KOL AP TMO                   | -         |
| Item received at Destination | 19/03/2026 | 09:16:40 | New Town Action Area III IDC | -         |
| Taken out for delivery       | 19/03/2026 | 11:22:11 | New Town Action Area III IDC | -         |
| Item Delivered(Addressee)    | 19/03/2026 | 20:20:50 | New Town Action Area III IDC | Delivered |

### Routing Steps

17/03/2026

13:32:08



Item Booked

Belgharia HO

17/03/2026

21:29:10



Item received at Hub

Kolkata NSH

18/03/2026

06:20:49



Item bagged

Kolkata NSH

18/03/2026

06:28:07



Item dispatched from Hub

Kolkata NSH

18/03/2026

06:39:08



Item dispatched from Hub

KOL AP TMO

18/03/2026

07:58:28



Item received at Destination

Hatiara IDC

18/03/2026

Item Redirected

12:45:21

Hatiara IDC  
Missent

18/03/2026

13:43:38

Item bagged  
Hatiara IDC

18/03/2026

13:59:24

Item dispatched from Hub  
Hatiara IDC

18/03/2026

22:06:53

Item dispatched from Hub  
KOL AP TMO

18/03/2026

23:16:57

Item received at Hub  
Kolkata NSH

19/03/2026

05:18:23

Item bagged  
Kolkata NSH

19/03/2026

05:29:16

Item dispatched from Hub  
Kolkata NSH

19/03/2026

06:03:20

Item dispatched from Hub  
KOL AP TMO

19/03/2026

09:16:40

Item received at Destination.  
New Town Action Area III IDC

19/03/2026

11:22:11

Taken out for delivery  
New Town Action Area III IDC

19/03/2026

20:20:50

Item Delivered(Addressee)  
New Town Action Area III IDC  
Delivered

Download our App for Instant Access



~~17~~  
16

Amosura - P-2<sup>3</sup>

54

Item No.11

Court No.1

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

Miscellaneous Application No.28/2025/EZ  
In  
Original Application No.186/2024/EZ

Sabir Khan

Applicant

Versus

State of West Bengal

Respondents

Date of hearing: 12.03.2026

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Suo Motu.

Respondents: Mr. Sibojyoti Chakrabarti, Advocate for respondents no.1 and 2  
(through VC).  
Mr. Dipanjan Ghosh, Advocate for respondent no.3 (through  
VC).  
None for respondent no.4.

**ORDER**

1. The applicant filed O.A. No. 186/2024/EZ complaining about encroachments and filling of water body/jheel comprised in Dag No.62, J.L. No. 2 in Ward No.5 in village Makhalthati, Police Station Rabindranagar, District South 24 Parganas.
2. A fact-finding committee was constituted by this Tribunal which submitted report that the land in question is indeed recorded as a 'Pukur' in Revenue Records and that the water body was engulfed by water hyacinth and a pile of garbage had been found around the pond.
3. The above said O.A. was disposed of by this Tribunal vide order dated 09.12.2024 by giving directions mentioned therein and seeking

~~18~~  
~~19~~

filing of compliance reports by 15.01.2025. The relevant part of the order reads as under:-

*"13. However, in view of the categorical and uncontroverted findings of the Joint Committee, the allegation of the Applicant that the water body/pond in question is being illegally filled-up is falsified. However, the Committee has reported that there is an illegal dumping of waste and garbage around the pond.*

*14. We, therefore, dispose of the present Original Application with a direction to the District Magistrate & Collector, South 24 Parganas, to ensure that the waste and garbage in and around the pond/water body in question as noted in the Joint Committee Report is removed within a period of one month. The District Magistrate & Collector, South 24 Parganas, shall also ensure that water hyacinth and other plants which may have grown inside the water body/pond are removed and the water body is cleaned and restored to its original position within a period of one month. An Action Taken Report on affidavit shall be filed by the District Magistrate & Collector, South 24 Parganas, by 15.01.2025."*

4. Vide order 14.10.2025, notice was issued to respondent no.2-District Magistrate, South 24 Parganas, requiring him to file compliance report within one month.
5. In compliance thereof, report dated 25.03.2025 was filed by respondent no.2-District Magistrate, South 24 Parganas mentioning that the order was duly complied with as submitted therein.
6. In the course of hearing, the applicant was joined through mobile phone call on his mobile phone number given in the original application/letter petition and the applicant had submitted that the waterbody was again dumped with solid waste and that he and his wife were also intimidated by the concerned miscreants.
7. Vide order dated 22.12.2025, the District Magistrate, South 24 Parganas was directed to file further report along with pendrive containing video recording of the present status of the waterbody.
8. Report dated 11.03.2026 has been filed by Additional District Magistrate and District Land and Land Reforms Officer on behalf of the District Magistrate and Collector, South 24 Parganas by e-mail as the

- 10 -

same could not be filed through e-filing portal due to some technical glitch.

9. However, the pendrive containing the video recording of the present status of the waterbody has not been filed.
10. In view of the facts and circumstances of the case, we consider personal appearance of the District Magistrate, 24 South Parganas to be essential for assisting this Tribunal in ensuring just and proper compliance with orders passed by this Tribunal.
11. Accordingly, the District Magistrate, 24 South Parganas is directed to appear before this Tribunal on the next date of hearing with relevant record physically or through VC and also to ensure that the video recording is submitted to this Tribunal by appropriate means including e-mail/WhatsApp.
12. List on 21.04.2026 for further hearing.
13. A copy of this order may be sent to the Chief Secretary, Government of West Bengal and the District Magistrate, 24 South Parganas by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A Senthil Vel, EM

March 12<sup>th</sup>, 2026  
Miscellaneous Application No.28/2025/EZ  
In Original Application No.186/2024/EZ  
SN



Annexure - (p-3)

Compose



- Inbox 24,677
- Starred
- Snoozed
- Sent
- Drafts 153
- Purchases 61
- More

### IA in OA 186 of 2024



**Indradeep Ghosh** <ghoshindradeep506@gmail.com>  
to psecy.env-wb, net.wbpcb-wb

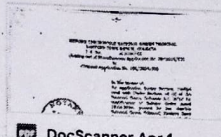
Dear Sir(s),

Kindly find enclosed copy of the IA petition along with all annexure which will be moved before the Hon'ble National Green Tribunal, EZB, Kolkata on 21.04.2026.

Enclosed as above.

Siboyoti Chakrabarti  
Advocate, State of WB

One attachment • Scanned by Gmail Add to Drive



DocScanner Apr 1.

① Upgrade →

Reply

Reply all

Forward



Enable desktop notifications for Gmail.

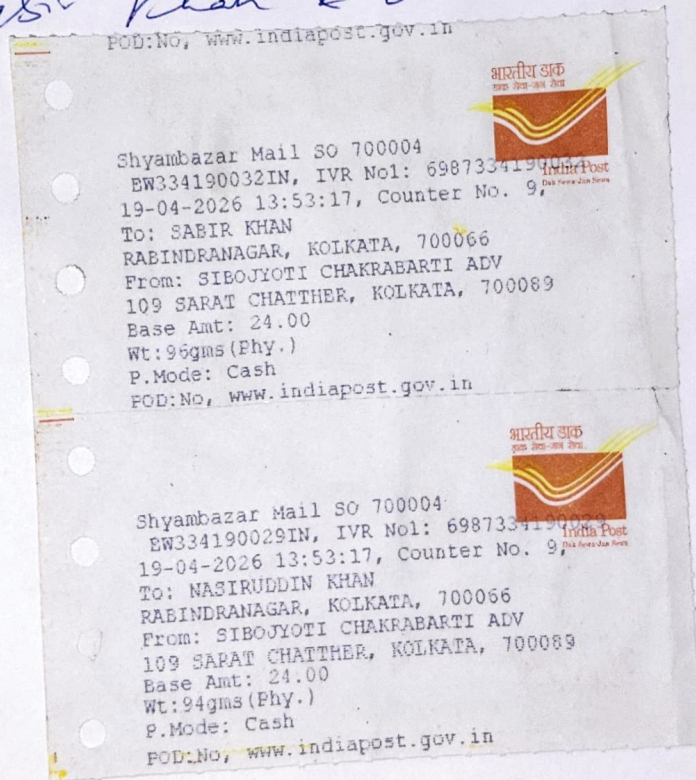
Before The Hon'ble National Green Tribunal.

Eastern Zone Bench, Kolkata.

I.A. No. 28/2025/E2 /2025/E2

in  
O.A. No. 186/2024/E2

District Magistrate, South (24) PZ  
Sabir Khan <sup>-V-</sup> or



BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

I. A. No.                    of 2026/EZ  
(Arising out of Miscellaneous Application  
No. 28/2025/EZ)

In  
(Original Application No. 186/2024/EZ)

In The Matter of:

District Magistrate & Collector, South (24)  
Parganas

... Applicant

-Versus-

Sabir Khan & Ors.

...

Respondents

**INTERLOCUTORY APPLICATION**

**ON BEHALF OF THE APPLICANT**

Filed by:

Mr. SIBOJYOTI CHAKRABARTI,  
Advocate,

State of West Bengal

(M): 9007035534

Email: subho.advocate@gmail.com

