

**BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONE BENCH, BHOPAL**

I.A. No. **147** Of 2024

IN

ORIGINAL APPLICATION NO. 206/2024(CZ)

**IN THE MATTER OF:**

Chandikant Jha & Ameen Ahmad

.....Original Applicants

Versus

State of Madhya Pradesh & Ors. .

..... Respondents

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**NDOH 06.12.2024**

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**MR. SHUBHAM TIWARI  
ADVOCATE FOR APPLICANT  
ADD.: 3/3, SHIVA WIDSPERING WOODS,  
3<sup>rd</sup> BLOCK, 1st FLOOR, SALAIYA BHOPAL, MP  
PIN 462047  
(MOB. NO. 8815143408)  
ENROLMENT NO.: MP/3422/2022**

**PLACE: BHOPAL**

**Date: 27.11.2024**

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CENTRAL ZONE BENCH, BHOPAL

I.A. No. 147 OF 2024

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APPLICATION UNDER SECTION 19 OF THE NATIONAL GREEN TRIBUNAL ACT,  
2010 READ WITH SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908  
SEEKING APPROPRIATE DIRECTIONS AGAINST THE ORIGINAL APPLICANTS.

MOST RESPECTFULLY SHOWETH

1. The present application is being filed on behalf of MB Power (Madhya Pradesh) Ltd. ("Company"), seeking appropriate directions against the Original Applicants.
2. It is submitted that the subject Original Application No. 206/2024 (CZ) ("**OA**") has been filed by *Chandikant Jha* and *Ameen Ahmad* ("**Original Applicants**") raising their purported grievances qua the handling, treatment and disposal of fly ash generated at Moser Baer Thermal Power Plant, Laharpur, Tehsil Jaithari, District Anuppur, Madhya Pradesh, India ("**Thermal Power Plant**").
3. The aforesaid Thermal Power Plant is owned and operated by the Company and though the OA was served upon the Company, however, the Company has not been arrayed as



A handwritten signature in blue ink, appearing to read "Ameen Ahmad".

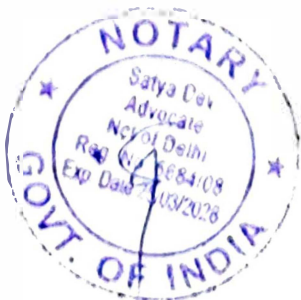


4. Therefore, the Original Applicants are required to amend the cause title of the Original Application by (a) deleting Respondent No. 11 in the OA; and (b) arraying the Company as a party in the OA.
5. That due to this error on the part of the Original Applicants, the Company is facing difficulty in effectively defending against the OA inasmuch as neither the *Vakalatnama* nor an appropriate reply to the allegations and contentions raised therein can be filed. Indisputably, the Company is a necessary and proper party in the OA, and its non-joinder would be in violation of principles of natural justice.
6. Accordingly, the Company is constrained to file the present application seeking appropriate reliefs against the Original Applicants.
7. This application is made bonafide and in the interest of justice.
8. No prejudice would be caused to the Original Applicants or other Respondents if the present application is allowed in terms of the reliefs claimed hereinafter.
9. Grave prejudice would be caused to the Company, if this application is not allowed in terms of the reliefs claimed hereinafter.

### PRAYER

In view of the forgoing facts and circumstance, it is humbly prayed that this Hon'ble Tribunal be pleased to:-

- i) Allow the present application and direct the Original Applicants to amend the memo of parties in terms of this IA and array the Company i.e. MB Power (Madhya Pradesh) Ltd.;
- ii) Permit the Company to file its reply to the Original Application within 4 weeks from the date when the Original Applicants amend the memo of parties in the Original Application;



*Amul*



iii) Pass any other order or relief that this Hon'ble Tribunal may deem fit and proper in the interest of justice.

AND FOR WHICH ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY



*[Handwritten Signature]*

APPLICANT  
ON BEHALF OF

MB POWER (MADHYA PRADESH) LIMITED

THROUGH:

*[Handwritten Signature]*

MR. SHUBHAM TIWARI  
ADVOCATE FOR APPLICANT  
ADD.: 3/3, SHIVA WIDSPERING WOODS,  
3rd BLOCK, 1st FLOOR, SALAIYA BHOPAL, MP  
PIN 462047  
(MOB. NO. 8815143408)  
ENROLMENT NO.: MP/3422/2022

PLACE: BHOPAL  
DATED: 27.11.2024



**ATTESTED**

27 NOV 2024

**NOTARY PUBLIC DELHI**

BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONE BENCH, BHOPAL

I.A. No. 147 OF 2024

IN

ORIGINAL APPLICATION NO. 206/2024(CZ)

IN THE MATTER OF:

Chandikant Jha & Ameen Ahmad

... Original Applicants

Versus


State of Madhya Pradesh & Ors.


... Respondents

AFFIDAVIT

I, Rajinder Singh S/o Dewan Singh, Authorized Representative of MB Power (Madhya Pradesh) Limited having its registered office at 239, Okhla Industrial Estate III, New Delhi-110020 do hereby solemnly affirm and declare as under:

1. That I am the Authorized Representative of MB Power (Madhya Pradesh) Limited, duly authorized in this regard and am well conversant with the facts of the case and able and competent to depose the same. A true copy of the Board Resolution dated 10.08.2023 issued by MB Power (Madhya Pradesh) Limited is annexed herewith and marked as Document-I.
2. That the present Application has been drafted by the counsel under my instructions and the same has been read and understood by me. The contents of the said Application are correct and true to my knowledge and on the basis of the documents available.
3. That no part of this Affidavit is false and no material fact concealed therefrom.

... have been c  
  
 DEPONENT




VERIFICATION:


I, the above named deponent, do hereby verify that the contents of the above affidavit are true to my knowledge and no part of it is false and nothing material has been concealed therefrom.

DEPONENT Verified and signed at New Delhi on this 27<sup>th</sup> day of November, 2024.  
 Shri/Smt. Rajinder Singh  
 Uo. 239, New Delhi-110020  
 identified by Shri/Smt. SELF  
 has solemnly affirmed before me at  
 Delhi, S/o.  
 that the Contents of the Affidavit  
 where have been & explained to  
 him are true and correct to the Knowledge

Notary Public, Delhi



  
 DEPONENT



ATTESTED

27 NOV 2024

NOTARY PUBLIC DELHI

**IN THE NATIONAL GREEN TRIBUNAL CENTRAL ZONE BENCH BHOPAL  
(ORIGINAL APPLICATION)**

Original Application No. 206/2024(CZ)

**IN THE MATTER OF:**

**Chandikant Jha & Ameen Ahmad**

... APPLICANTS

**VERSUS**

**State of Madhya Pradesh & Ors.**

... RESPONDENTS

**VAKALATNAMA**

MB Power (Madhya Pradesh) Limited (Moser Baer Thermal Power Plant) situated at Loharpur Tahail – Jaithari, District Anuppur, MP pin code – 484330, email – [contact@hpppl.in](mailto:contact@hpppl.in), Respondent No. 11, through its authorized signatory Mr. Rajinder Singh do hereby appoint and retain:-

**SHUBHAM TIWARI, ADVOCATE**

**MP/3422/2022**

**3/3 Shiva Whispering Woods, 3<sup>rd</sup> Block, 1<sup>st</sup> Floor, Bhopal**

**+91-8815143408**

**[unoadvocate7@gmail.com](mailto:unoadvocate7@gmail.com)**

To act, appear and plead in the above case in this Court or in any other Court in which the same may be tried or heard subject to payment of fees separately for each Court by me/ us.

To sign, file, verify all pleadings including appeals, or petitions for execution, review, revision, withdrawal, compromise or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To withdraw or compromise or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to be expedient.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court.

And I/we agree to ratify all acts done by the aforesaid Advocate in pursuance of the authority.

Dated this the 16<sup>th</sup> day of October 2024



Accepted/Certified/Identified/Certified  
Advocate for Respondent No. 11



MB Power (Madhya Pradesh) Limited  
(Moser Baer Thermal Power Plant)  
through its Authorized Signatory



# HINDUSTAN POWER

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF MB POWER (MADHYA PRADESH) LIMITED ON THURSDAY, THE 20<sup>TH</sup> DAY OF APRIL, 2023

## Authorization of officials of the Company for legal matters

“RESOLVED THAT in supersession of all earlier resolutions passed by the Board in this regard, consent of the Board be and is hereby accorded to authorize Mr. Basanta Kumar Mishra, Whole-Time Director, Mr. Vipin Kumar Kalia, Chief Financial Officer, Mr. Sunil Kumar Nagar, Company Secretary, Mr. Dilip Bhagtani, Mr. Rajinder Singh, Ms. Deepshikha Singh, Mr. Rahul Sharma, Mr. Nimish Dhar Diwan, Mr. Dushyant Kumar Meena, Mr. Abhishek Gupta, Mr. Ravi Shandilya, Mr. Shubham Batra, Ms. Ankita Trivedi, Mr. Manesh Kumar and Mr. Shivendra Tripathi (hereinafter referred to as the “Authorised Persons”) severally, to sign, execute & deliver any application(s), petition(s), claim(s), affidavit(s), deed(s), document(s), form(s), vakalatnama(s), caveat, written statement(s), undertaking(s), letter(s), representation(s) or such other documents, as may be required before any Courts, Arbitrator, Tribunal or other judicial bodies, or any other authority.

RESOLVED FURTHER THAT Mr. Basanta Kumar Mishra, Whole-Time Director, Mr. Vipin Kumar Kalia, Chief Financial Officer, Mr. Sunil Kumar Nagar, Company Secretary and Mr. Dilip Bhagtani, President - Legal & Secretarial be and are hereby severally authorized to sub-delegate all or any of the aforesaid powers to any other legal counsel, advocates or any other person, if required, by executing a Authority Letter or Power of Attorney for the aforesaid purpose.

RESOLVED FURTHER THAT the Common Seal of the Company be affixed, wherever required as per the provisions contained in the Articles of Association of the Company in the presence of any of the Authorised Persons.

RESOLVED FURTHER THAT the above delegation of power shall be valid till any further order or amendment, as may be approved by the Board/Committee and/or till such time the above Authorised Persons remains with the Company or is under employment of the Company or any of its group or parent company:

RESOLVED FURTHER THAT Mr. Basanta Kumar Mishra, Whole-Time Director, Mr. Vipin Kumar Kalia, Chief Financial Officer, Mr. Sunil Kumar Nagar, Company Secretary of the Company, be and are hereby severally authorized to provide a certified copy of the above resolution as may be required.”

CERTIFIED TRUE COPY

For MB Power (Madhya Pradesh) Limited

  
Sunil Kumar Nagar  
Company Secretary



Date: 10.08.2023

