

BEFORE THE NATIONAL GREEN TRIBUNAL

CENTRAL ZONE BENCH, BHOPAL

I.A.No **12** of 2025

IN

ORIGINAL APPLICATION NO. 206/2024(CZ)

IN THE MATTER OF:

Chandikant Jha & Anr.

... Applicants

Versus

State of Madhya Pradesh & Ors.

... Respondents

Sr. No	Particulars	Pages No
1	Application under Section 19 of the National Green Tribunal Act, 2010 read with Section 151 of the Code of Civil Procedure, 1908 seeking condonation of delay of 15 Days in filing of Reply by Respondent No.11/MB Power (Madhya Pradesh) Ltd. Along with Affidavit.	1 - 3



PLACE: BHOPAL
DATED: 18.01.2025

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

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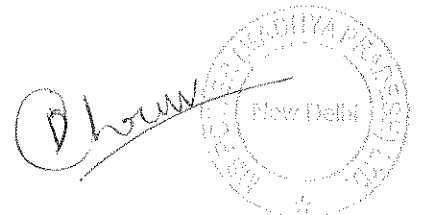
State of Madhya Pradesh & Ors.

Respondents

APPLICATION UNDER SECTION 19 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010 READ WITH SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 SEEKING CONDONATION OF DELAY OF 15 DAYS IN FILING OF REPLY BY RESPONDENT NO. 11/M.B. POWER (MADHYA PRADESH) LTD.

MOST RESPECTFULLY SHOWETH:

1. That the Original Applicants have filed the present Original Application ("O.A.") alleging violations by Respondent No.11/M.B. Power (Madhya Pradesh) Ltd. ("Answering Respondent") in its activities of fly ash disposal and for consequent relief(s). The captioned O.A. was last listed on 06.12.2024 wherein this Hon'ble Tribunal, after making necessary modification to the title of the Answering Respondent, had granted the Answering Respondent four (4) weeks' time to file its Reply in response to the O.A.
2. That pursuant to the aforesaid directions, the Answering Respondent is filing its Reply albeit with a delay of 15 days, which has been occasioned due to delay in collection of the relevant documents (annexed alongwith the Reply) coupled with the year-end vacations.
3. That as detailed in the accompanying Reply, the allegations levelled in the O.A. are false, vexatious and without merit. The Answering Respondent has been performing its fly ash disposal activities in compliance with the relevant guidelines/regulations as well as the consent orders issued by competent authorities.



4. That though there has been a delay of 15 days in filing of the Reply, however, the same is *bonafide*, inadvertent and due to unavoidable reasons as enumerated hereinabove.
5. That in the present case, the balance of convenience lies in favour of the Answering Respondent and interest of justice also calls for allowing the present Application as otherwise irreparable harm, loss and injury would be caused to the Answering Respondent.

PRAYER:

In view of the aforesaid, this Hon'ble Tribunal may be pleased to:

- a) Allow the present application and condone the delay of 15 days in filing of the Reply
- b) Pass such other order as this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case.

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


FOR MB POWER (MADHYA PRADESH) LIMITED/
RESPONDENT NO. 11

THROUGH:



MR. SHUBHAM TIWARI

ADVOCATE FOR RESPONDENT NO.11

ADD.: 3/3, SHIVA WHISPERING WOODS,

3rd BLOCK, 1st FLOOR, BHOPAL, MP

(MOB. NO. 8815143408)

ENROLMENT NO.: MP/3422/2022

**PLACE: BHOPAL
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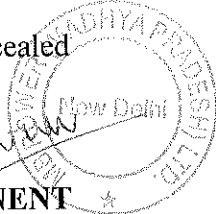
State of Madhya Pradesh & Ors.

Respondents

AFFIDAVIT

I, Dhruv Gupta s/o Mr. Surendra Gupta, 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:

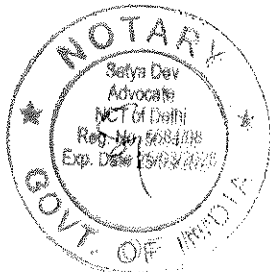
1. That I am the Authorized Representative of MB Power (Madhya Pradesh) Limited, duly authorized in this regard and am well conversant with the facts of the case and able and competent to depose the same.
2. That the present Application has been drafted by the counsel under my instructions and the same 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 documents available.
3. That no part of this Affidavit is false and no material facts have been concealed therefrom.


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.

Verified and signed at New Delhi on this 18 day of January, 2025.



ATTESTED
18 JAN 2025
NOTARY PUBLIC


DEPONENT 