

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SITTING AT PUNE

EXECUTION APPLICATION NO. 14 /2025

IN ORIGINAL APPLICATION NO-131/2017(WZ), EA - 4/2024 MA NO. -
06 /2024

Dr. Prashant Dattatray Patil
...APPLICANT

/VERSUS/

State Of Maharashtra and 7 others ...NON-APPLICANTS

INDEX

List of Annexures

Sl. No.	Description	Date	Pages
1	AFFADAVIT IN ABOVE APPLICATION	02/04/2026	34-37
A	HIGH COURT NAGPUR ORDERIN WRIT TO -5552 OF 2026	19/01/2026	38-39

Place- Malkapur

Date: 02 /04/2026



APPLICANT

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AFFIDAVIT ON BEHALF OF THE APPLICANT

I, Dr Prashant Dattatray Patil, Age 57 Yrs., R/O Shri Hospital, Ganesh Nagar, Malkapur the applicant in this case, do hereby state on solemn affirmation as under –

- 1) I am filing this affidavit as the respondent no 5 & 7 have not filed the same in 4 weeks' time as ordered by this Honorable court in its previous order dated 06/01/2026 & 23/02/2026.
- 2) I am submitting the copy of Honorable High Court Nagpur Bench order passed in case No- 5552/2025 dated 19/01/2026 as ordered by you. (Annexure A)
- 3) This Honorable court had levied the EC on respondents no 5 & 7 on 11/07/2025 while disposing my MA 06 / 2024.
- 4) In the above order the Honorable High Court had not passed any stay order for recovery of the EC from respondent No 5 & 7.
- 5) Despite not paying the EC, the respondent no 5 & 7 are running their marriage halls and no action taken by respondent No 2 to recover the same, despite my repeated request to them.

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6) So, I pray to the court to take necessary steps to recover the EC from the respondent No- 5 & 7 and suspend their NOC to run the halls till the time they pay the EC.

Malkapur.



Dated: 02/04/2026

Applicant



AFFIDAVIT

I, Dr. Prashant Dattatray Patil, Aged: 57 yrs., Occ.: Medical Practice, C/o. Shri Hospital, Ganesh Nager, Malkapur, Tq. Malkapur, Dist. Buldana, the applicant, take an oath and state on solemn affirmation that, the contents of which from Para I to Prayer Clause are true to my own knowledge and information, which I received from office record and believed to be true. This is true on oath.

Hence, this Affidavit.

Malkapur.



Dated: 02.04.2026

Deponent

VERIFICATION

I, Dr. Prashant Dattatray Patil, the deponent, on solemn affirmation, state that, the contents of above said Affidavit are true to my own knowledge and information, which I received and believed to be true. If above information is untrue, I will be liable to be punished under IPC 236.37, 229(2).

Hence, verified and signed today on this 2nd day of April 2026

At Malkapur.


Deponent

I know the deponent. He has signed I before me



12682604022013129345

Affidavit No :
2650039791268200568979

Applicant Name : Prashant Dattatray
Patil

Tehsil Name : Malkapur

Date : 02/04/2026

Signed and Sworn before by Mr. Prashant Dattatray Patil who is personally known to me or who has been identified by Shri / Smt / Kumari R K Mahale whose signature is hereby appended.



R.K. Mahale
Signature Of Identifier
R K Mahale

[Signature]
Tehsildar
Malkapur
Date : 02/04/2026

प्रमाणपत्र
महाराष्ट्र सरकारचे कार्यालय येथे को.नांव... *प्रशांत दिवाण*
Prashant
राज्याच्या... ता.मलकापूर, जि.बुलढाणा हे
राज्याच्या... रोजी प्रतिज्ञापत्र करण्यासाठी
महा-ई-सेवा केंद्र दुधलगांव खुर्द येथे स्वतः हजर होते
त्याची जायदादची मी स्वतः काढून त्यांनी प्रतिज्ञापत्रावर
माझ समक्ष स्वाक्षरी केली करीता प्रमाणित करण्यात
येत आहे. *R.K. Mahale*
राजू किसेन महाले संचालक-
महा-ई-सेवा केंद्र, दुधलगांव खुर्द.



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO.5552 OF 2025

Bhatrumandal, Through its President and Another
Vs.
 State of Maharashtra and Others

Office Notes, Office Memoranda
 of Coram, Appearances, Court's
 orders or directions and
 Registrar's orders

Court's or Judge's orders

Mr. Madhur Deo, Advocate for the Petitioners.
 Ms. P.T. Joshi, AGP for Respondent Nos.1, 3 and 4/State.
 Mr. N.G. Moharir, Advocate for Respondent No.6.

CORAM: PRAFULA S. KHUBALKAR, J.

DATED : 19th JANUARY, 2026

1. Heard learned counsel for the petitioner.
2. Petitioners' challenge is to the order dated 11.07.2025 passed by the National Green Tribunal, Western Zone Bench, Pune in Misc. Application No.06/2024 by which, the petitioners' were directed to deposit the amount of Environmental Development Compensation (EDC) with respondent No.2-Maharashtra Pollution Control Board (MPCB).
3. Learned counsel for the petitioners submits that the impugned order is passed in the execution proceedings arising out of the Original Application decided by the National Green Tribunal, which is already a subject matter of the ***Writ Petition No.929/2024 Bhatrumandal and Others Vs. State of Maharashtra and Others*** pending before this Court. He submits that although in the said petition the communication dated 18.10.2023 is stayed, by ignoring this fact that the impugned order is passed by the Tribunal directing deposit of further amount.
4. Advocate Mr. Moharir, appearing on caveat for the respondent No.6, raises a preliminary objection to the

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maintainability of the petition on the ground of alternate remedy under Section 22 of the Act.

5. As regards the alternate remedy, learned counsel for the petitioner has relied upon the judgment of the Hon'ble Supreme Court in the matter of ***Madhya Pradesh High Court Advocates Bar Association And Another Vs. Union of India and Another***, reported in ***2022 SCC OnLine SC 639***. Whereas, learned counsel for the respondent has relied upon the judgment of the Co-ordinate Bench of this Court in the matter of ***Prasad Naik Vs. Goa Central Zone Management Authority and Others***, reported in ***2020 SCC OnLine Bom 830***.
6. Keeping open the objection about maintainability of the petition on account of alternate remedy, issue notice to the respondents returnable after four weeks.
7. Learned AGP waives service of notice on behalf of respondent Nos.1, 3 and 4/State.
8. Advocate Mr. Moharir, waives service of notice on behalf of respondent No.6.
9. Petitioners are permitted to serve the remaining respondent by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.
10. Advocate Mr. Moharir, on instructions, makes a statement that the respondent No.6 shall not take steps for execution of the impugned order, till next date.

(PRAFULLA S. KHUBALKAR, J.)

Privel

P.K.

