

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH AT PUNE

ORIGINAL APPLICATION NO. 128 OF 2024

IN THE MATTER OF:

Ameet Gurucharan Singh and Ors.

...APPLICANTS

Versus

State of Maharashtra and Ors.

...RESPONDENT

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THROUGH

Sonia Sharon Manasi Thakare

SONIA SHARON MANASI THAKARE MAITREYA PRITHWIRAJ GHORPADE

ADVOCATE

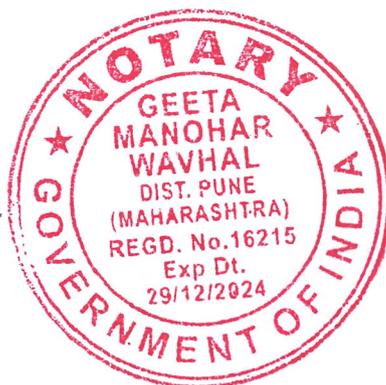
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Place: Pune

Date: 2.07.2024



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ORIGINAL APPLICATION NO. 128 OF 2024

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Ameet Gurucharan Singh and Ors.

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**AFFIDAVIT IN COMPLIANCE OF ORDER DATED 31.05.2024 OF HON'BLE
NATIONAL GREEN TRIBUNAL**

I, the undersigned, Gangotri Chanda, Applicant No. 3, aged about 34 years, R/o New Panchami Girls PG. Sr. No. 9/1/2/1, Tukaram Nagar, Kharadi – 411014, do hereby solemnly affirm and state as under:

1. That I am Applicant No. 3 in the present Application, and I am authorized to file the present Affidavit. I submit that the present application has been filed under Section 14 read with Section 20 of the National Green Tribunal Act, 2010 raising the substantial question regarding protection of 96 trees, including 19 heritage trees, which are marked to be felled for the construction of Sadhu Vaswani Railway Over Bridge at Bund Garden Road, Pune (hereinafter referred to as the 'impugned project') by the Pune Municipal Corporation ('PMC') in violation of the provisions of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 ('Maharashtra Trees Act, 1975'), and the judgments and orders passed by the Hon'ble Bombay High Court.

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2. Furthermore, I submit that PIL No. 77 of 2024 was also filed before the Hon'ble High Court of Bombay by some of the present Applicants which pertained to facts and prayers which were deemed to be similar to the present Application by this Hon'ble Tribunal during the last date of hearing, i.e., 31.05.2024.
 3. Therefore, vide order dated 31.05.2024, this Hon'ble Tribunal had directed the present Applicants to decide whether to press the matter before the Hon'ble High Court of Bombay or this Hon'ble Tribunal.
 4. Accordingly, I submit that the said PIL No. 77 of 2024 (previously PIL No. (S) 14048 of 2024) has been withdrawn from the Hon'ble High Court of Bombay, in pursuance of the directions issued by this Hon'ble Tribunal. A copy of the Order dated 24.06.2024 of the Hon'ble High Court of Bombay in PIL No. 77 of 2024 is annexed and marked herewith as **ANNEXURE A-22.**

COMMENCEMENT OF CONSTRUCTION WORK

5. Additionally, I submit that the construction work pertaining to the impugned project has already commenced in the month of June 2024. That multiple JCBs and other machinery can be seen on the site of the impugned project, which have evidently been brought there to undertake construction and demolition work of the existing Railway Over-Bridge. Photographs depicting on-going construction work for the impugned project as captured in June 2024 are annexed and marked herewith as **ANNEXURE A-23.**
6. Accordingly, the Applicant reiterates the necessity of issuing ad-interim injunction against tree felling for the impugned project until the present Application is decided on merits, and therefore prays that this Hon'ble Tribunal may pass such orders so as to prevent irreparable damage to heritage trees.





DATE: 2.07.2024

Notary Wavhal

ADVOCATE FOR APPLICANTS

I know the Affiant

Geeta Chda

Advocate

Affiant

(Applicant No. 3)

Aadhar card No. 842775010841



BEFORE ME

Geeta Manohar Wavhal

GEETA MANOHAR WAVHAL
NOTARY GOVT. OF INDIA
DIST. PUNE (MAHARASHTRA)
Regd. No. 16215
Exp. Dt. 29/12/2024

NOTED AND REGISTERED

AT SR. NO. 908/2024

DATE 02 JUL 2024





AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO.77 OF 2024

Ameet Gurucharan Singh & Ors. ... Petitioners
V/s.
The State of Maharashtra & Ors. ... Respondents

Ms. Sonia Sharon for the petitioners.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ &
AMIT BORKAR, J.**

DATED : JUNE 24, 2024

P.C.:

1. Learned counsel for the petitioners, on instructions, states that the PIL petition be dismissed as withdrawn with liberty to pursue the matter before the National Green Tribunal, where a petition has already been filed.

2. Accordingly, the PIL petition is dismissed as withdrawn with liberty as prayed for.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)

