

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, FARIDKOT HOUSE,
(WESTERN ZONE, PUNE BENCH – THROUGH VIDEO
CONFERENCING)

ORIGINAL APPLICATION NO. 18/2016

IN THE MATTER OF:

JYESHTHA NAGARIK SANGHA ... ORIGINAL APPLICANT
VIMAN NAGAR

vs.

UNION OF INDIA & 9 OTHERS ... RESPONDENTS

REPLY FILED ON BEHALF OF RESPONDENT NO. 9 (INTERVENOR) TO THE
LETTER/ APPLICATION DATED JULY 26, 2020 ("APPLICATION/ LETTER
UNDER REPLY") IS AS UNDER:

1. The Respondent No. 7 – Project Proponent has addressed the Application/ Letter Under reply dated July 26, 2020 (received by this Intervenor – Respondent No. 9 under an email of even date) whereby the Project Proponent has requested that the documents shared under the said email i.e. Record and Proceedings of the present matter be placed before the Principal Bench of this Hon'ble Tribunal in view of the Procedural Order dated July 20, 2020.
2. The Project Proponent has *inter alia* annexed to the Application/ Letter Under Reply, the copy of an application dated December 16, 2019, ("**December 2019 Application**") whereby the Project Proponent prayed as under:

"...8. Respondent No. 7 therefore urges that the matter may please be kept before the Hon'ble Bench with request for urgent listing for final hearing at the earliest through video Conferencing through the Pune Bench, as may be fixed by the Hon'ble Tribunal.

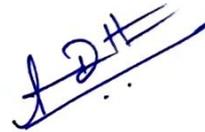
9. Hon'ble Tribunal may not hear the complete matter at this stage, but may at least hear to the extent of giving liberty to the Slum Rehabilitation Authority (SRA) Pune to allow to occupy these flats that are ready and lying idle for the last 2 years..."

3. It is submitted at that at no point in time has the present Intervenor – Respondent No. 9 sought an adjournment on any ground whatsoever in the present matter. It appears that by drawing a reference to the December 2019 Application, the Project Proponent – with the intention of misleading this Hon'ble Tribunal – is attempting to portray and impute a dilatory and *mala fide* approach on the part of the present Intervenor – Respondent No. 9. In fact, this Intervenor – Respondent No. 9 was not served with a copy of the December 2019 Application and accordingly reserves his right to file his reply to the said application, separately.

4. It is hereby clarified that the Orders passed by the Hon'ble Bombay High Court and Supreme Court, respectively, that have been enclosed in the Application/ Letter Under Reply, pertain to the limited issue of validity of the No Objection Certificate granted to the Project Proponent by the Ministry of Defence, Government of India.
5. It is hereby further clarified that the same do not pertain to or bear any expression of opinion by the Hon'ble High Court and Supreme Court on the Ex-Post facto Environmental Clearance issued by the Government of Maharashtra to the Project Proponent and the other connected blatant violations of Environmental Laws on the part of the Project Proponent in this regard.
6. In view of what has been stated above, is most humbly submitted that the present Intervenor – Respondent No. 9 has not in any manner delayed the present proceedings, as alleged by the Respondent No. 7 – Project Proponent

Dated: July 27, 2020

Place: Pune



Advocate for Respondent No. 9
Aman Dutta (July 27, 2020)