

**BEFORE THE NATIONAL GREEN TRIBUNAL
(WESTERN ZONE) BENCH, PUNE
EXECUTION APPLICATION NO. 12 OF 2019
IN
APPLICATION NO. 134 OF 2015 (WZ)**

=== In the Matter of ===

1. Nanik Rupani

Member, Managing Committee
Vikas Valley Co-operative Housing Society
Lonavala.

2. Ashish Vaid,

Member, Vikas Valley Co-operative Housing Society
Lonavala.

... APPLICANTS

====Versus====

**1. Secretary, Ministry of Environment and
Forests,**

India Paryavaran Bhavan,
JorBagh Road, Lodhi Colony,
New Delhi- 110003

2. Secretary, Environment Department,

Government of Maharashtra
Mantralaya Mumbai – 400032

3. Member Secretary,

State Environment Impact Assessment Authority
Mantralaya, Mumbai – 400032

4. The District Collector,

Collector Office,

Council Road, Vidhan Bhavan New Building, Bund
Garden

Pune- 411001

5. The Chief Officer

Lonavala Municipal Council,
Lonavala

6. M/S Vikas Developers,

A Proprietary Concern of the Madan Lal
Gupta Family Trust, 106, 2nd Floor, Vikas Centre, SV
Road,
Santacruz (West), Mumbai – 400054. Pin code –
403001

7. Madan Lal Gupta,

106, 2nd Floor, Vikas Centre, SV Road,
Santacruz (West), Mumbai – 400054

... RESPONDENTS

REPORT OF COMPLIANCE WITH NGT

ORDER DATED 13/04/23

- 1) It is submitted that as per the order dated 13/04/2023 in execution Application no. 12 of 2019 in Application no. 134 of 2015(WZ) (Disposed on 28.02.2017), the Hon'ble National Green Tribunal directed the applicants to deposit the cost of Rs. 5,000/- (Rupees Five thousand) with NGT Bar Association (western zone) within one week.
The relevant extract of the said order dated 13/04/23 is as under:

"1. ...The same is granted subject to applicants' paying cost of Rs.5000/- (Rupees five thousand) to be deposited with the NGT Bar Association at Western Zone Bench, Pune within a period of one week...."

A copy of order dated 13/04/2023 has been hereto annexed and marked as "**Exhibit – A**"

- 2) It is submitted that the said amount has been duly deposited by Advocate Aditya Pratap (advocate for the applicants) on 19/04/2023 in the bank account of NGT Bar Association western zone bearing following details:

Bank Name: Bank of India

Branch Name: Jangli Maharaj Road

A/c Holder: NGT Bar Association (western zone)

A/c No.:051820110000705

IFSC: BKID0000518

A copy of Deposit slip dated 19/04/2023 has been hereto attached and marked as "**Exhibit-B**"

A copy of receipt/acknowledgment provided by NGT Bar Association (western zone) dated 02/05/2023 vide receipt no. 038 has been hereto attached and marked as "**Exhibit-C**".

- 3) It is submitted that thereby the order dated 13/04/2023 has been duly complied.



Atithi Abhay,

Advocate Associate

Aditya Pratap Law Offices

EXHIBIT-A

Item No.3

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

**EXECUTION APPLICATION NO.12 OF 2019 (WZ)
IN
ORIGINAL APPLICATION NO.134 OF 2015 (WZ)**

Nanik Rupani & Anr. Applicants

Versus

Secretary, MoEF, New Delhi & Ors. Respondents

Date of Hearing : 13.04.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicants : Mr. Aditya Pratap, Advocate

Respondents : Mr. Aniruddha Kulkarni, Advocate for R-2 and R-3
Mr. Ajay Gadegaonkar Advocate for R-5

ORDER

1. From the side of the applicants, learned counsel Mr. Aditya Pratap has appeared. When enquired from him as to why the service-affidavit has not been filed by him since the matter is old of 2019, no reply has been given. He seeks five days' time to be provided to file the service affidavit. The same is granted subject to applicants' paying cost of Rs.5000/- (Rupees five thousand) to be deposited with the NGT Bar Association at Western Zone Bench, Pune within a period of one week.

2. The learned counsel for the applicants has also filed additional affidavit dated 12.04.2023 with the prayer that a direction be issued to Lonavala Municipal Council i.e. respondent No.5 to pay to Genstru Consultancy Pvt. Ltd. a sum of Rs.1,77,000/- against consultancy services and further it is prayed that an order be passed by this Tribunal directing Lonavala Municipal Council to reimburse Vikas Valley CHS Ltd an amount of Rs.1,08,000/-, paid in advance on the assurance of Chief

Officer, Lonavala Municipal Council, to Genstru Consultancy Pvt. Ltd. on 14.08.2018. The learned counsel for the applicants is directed to serve a copy of this additional affidavit to all the respondents forthwith and the respondents may file their respective reply-affidavits against the same within fifteen days. The learned counsel for the applicants will have to address this Tribunal on the maintainability of the above prayers made in additional affidavit, because in our estimation, Execution Application has been moved for getting the order dated 28.02.2017 passed by this Tribunal in Original Application No.134 of 2015 executed, which we have reproduced in our previous order dated 09.12.2022.

3. From the side of respondent No. 2 – Secretary, Environment Department and respondent No. 3 – Member Secretary, SEIAA, Maharashtra, learned counsel Mr. Aniruddha Kulkarni has appeared and states that he does not want to file reply-affidavit.

4. From the side of respondent No. 5 – the Chief Officer, Lonavala Municipal Council, learned counsel Mr. Ajay Gadegaonkar has appeared and apprised us that he has been served yesterday only and that he was not served in Original Application also. We direct the learned counsel for the applicants to serve respondent No.5 alongwith the memo of Execution Application along with relevant documents through email and by registered post A.D. within two weeks. The reply-affidavit thereto shall be filed by respondent No. 5 within a week thereafter.

5. Put up this matter on 10.05.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 13, 2023
E.A. No.12/2019 (WZ)
npj

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EXHIBIT-C

NGT BAR ASSOCIATION (WZ)

(New Administrative Building, 1st Floor, D-Wing, Opposite Council Hall, Pune.)

Receipt No.: 038

Date: 02.05.2023

Received with thanks from Adv. Adity Pratap

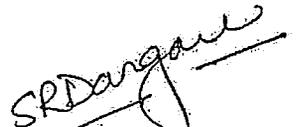
Sum of Rs. Five Thousand only

by Cash / Cheque Rs. 5000.00/-

being Donation / Membership Fess For the year 20 Towards cost in EA 12/2019
(vide Order dt. 13.04.2023)

₹ 5000.00


Treasurer


Secretary

**BEFORE THE NATIONAL GREEN
TRIBUNAL (WESTERN ZONE)
BENCH, PUNE**

**EXECUTION APPLICATION NO.
12 OF 2019**

IN

APPLICATION NO. 134 OF 2015 (WZ)

=== In the Matter of ===

Nanik Rupani & Anr.

... APPLICANTS

====Versus====

Secretary, MOEF, & Ors.

...RESPONDENTS

=====
**REPORT OF COMPLIANCE WITH
NGT ORDER DATED 13/04/2023**

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Dated this ___ day of May 2023

Aditya Pratap

Advocate for the Applicants

Advocates, High Court, Bombay

401-B Embassy,

Bhakti Park, Wadala East,

Mumbai - 400074.

Advocate Code: I/2516

MAH/1733/2013

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