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

Application No. 111/2016 (WZ)

In the matter of:-

M/s Unnathi Associates Mr. Kirti D. Shah V/s Vanshakti & Ors.

CORAM: HON'BLE JUSTICE U.D. SALVI, JUDICIAL MEMBER HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER

Present: Applicant/Appellant : Mr. Harshad Bhadbhade, Adv. Respondent Nos.10,13,16: Mr. D.M. Gupte, Adv. Respondent No.14 : Mr. Makarand Rodge, Adv h/f Mr. Sameer Khale, Adv. Respondent No.17 : Mr. N.R. Bubna, Adv.

Date and Orders of the Tribunal Remarks Item No.9 Heard. Perused Record. 9<sup>th</sup> January, Replies have been filed by Respondent Nos.1 to 7, 16 and 17. 2017 Order No.7 Learned Counsel appearing on behalf of Respondent Nos.10 and 13 submits that the reply of Respondent No.16 shall be the reply of Respondent Nos.10 and 13. No replies filed by others. Learned Counsel appearing on behalf of Respondent No.14 submits that the Municipal Corporation of Greater Mumbai does not wish to file any reply. At this stage, the learned Counsel appearing on behalf of the Applicant submits that Applicant has filed rejoinder to the replies on record. He adds that the project in question carried out on Survey No.120/1 of Village – Owale Tal. And District Thane lies at 40 metres distance from the private forest adjoining Sanjay Gandhi National Park. He submits that Central Government has notified ESZ Area vide Notification dated 5<sup>th</sup> December, 2016 and the project falls in eco-sensitive zone declared by the said Notification and as such the matter can be disposed off by directing the project proponent to seek permission to carry out the development from National Board of Wildlife and further directing the Chief Conservator of Forest and Director of Sanjay Gandhi National Park to forward the proposal for grant of permission to the National Board of Wildlife. Before we pass any directions, it is necessary that contesting Respondent Nos.1 to 7 are heard. List this case on 3<sup>rd</sup> February, 2017.

(Justice U.D. Salvi)

....., EM (Dr. Ajay A. Deshpande)