

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

M.A. 945/2016/EZ WITH M.A. 872/2016/EZ  
M.A. 912/2016/EZ WITH M.A. 944/2016/EZ  
M.A. 913/2016/EZ WITH M.A. 943/2016/EZ  
M.A. 914/2016/EZ WITH M.A. 942/2016/EZ

IN

Original Application No. 02/2015/EZ

**SMT. MITU MAITY (R. 723)  
M/S SASMAL BRICK FIELD (R. 83)  
M/S N. RAJA (R. 151)  
M/S SONA BRICKS MAKER (R. 141)**

VS

**Joydeep Mukherjee & ORS.**

**CORAM:** Hon'ble Mr. Justice S.P. Wangdi, Judicial Member  
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

**PRESENT:** Applicants in MAs : Mr. U.Dutta, Advocate  
Mr. M.A. Samad, Advocate  
Mr. Soumik Biswas, Advocate  
Respondent No. 1 : Mr. Sibojyoti Chakraborti, Advocate  
Respondent Nos. 2 to 8 : Mr. Bikas Kargupta, Advocate

Date & Remarks	Orders of the Tribunal
Item Nos. 8 to 11 2 <sup>nd</sup> March, 2017.	<p style="text-align: center;">These MAs are taken up together since the facts and prayers are similar.</p> <p style="text-align: center;">Affidavit filed by Mr. Bikas Kargupta, Id. counsel on behalf of District Magistrate, Purba Medinipur, in M.A. Nos.942/2016/EZ, M.A. 943/2016/EZ &amp; M.A. 944/2016/EZ is ordered to be taken on record.</p> <p style="text-align: center;">After having heard the matter at some length, Mr. Ujjal Dutta, Ld. counsel for the applicants in these M.As prays for leave to withdraw these M.As with a</p>

prayer to grant them permission to pay the penalty to the concerned Regional Office of the State PCB and to direct the Respondent No. 1, i.e., the State PCB to consider their applications for consent to operate and dispose those off expeditiously.

Upon hearing Mr. Dutta, prayer for withdrawal of the M.As is allowed subject to the condition that the brick kilns shall be closed forthwith until the consents to operate are granted by the State PCB.

Although there has been deliberate violation of our order in not paying the penalty which had been admitted by them to be liable for, interest of justice would be served if the penalty imposed earlier is paid within one month as prayed for by Mr. Dutta.

The State PCB, on receipt of the penalty, shall consider and dispose off the applications for consent to operate in accordance with law.

Needless to observe that one of the pre-conditions for grant of the consents to operate is the necessity for the applicants to obtain ECs under EIA Notification 2006 as amended.

**All M.As stand dismissed as withdrawn in terms of the aforesaid directions.**

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Justice S.P.Wangdi, JM  
2-3-2017

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Prof. (Dr.) P. C. Mishra, EM  
2-3-2017

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