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

## Original Application 108 (TJC)/2017 M.A.202/2017 M.A.203/2017 Hiraman Garate (Court on its own motion) Vs State of Maharashtra & Ors

## CORAM: HON'BLE MR JUSTICE U.D.SALVI, JUDICIAL MEMBER HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Present: Applicant/Appellant : None Present

Respondent Nos. 1,3,6,8 : Mr. D.M.Gupte Adv

Mr. Shivaji Fule Dy CF,Gondiya

Respondent Nos. 2,5 : Ms. Fawia M. Mesquita Adv

Date and Remarks	Orders of the Tribunal
Item No. 9 November 27,	M.A.202/2017
2017 Order No.6	Heard. Perused Record.
	Considering the scope of Original Application, which concerns village
	Wadsa of Fo <mark>rest Division the prese</mark> nt Application seeking intervention
	therein so as to include the forest area of villages Ghot and Devda falling in
	Alpatti Forest Division, district Gadchiroli, cannot be regarded as one
	designed to agitate the common issue, or outcome of the present
V.	Application, is not likely to affect the interveners concerned. The Intervener
	Mr. Namdeo VIthoba Sontakke, who is present in person before us seeks
	liberty to withdraw the present Application with liberty to initiate a separate
24	proceedings therefor. Permission to withdraw the present Application is
	granted with liberty as solicited.

M.A.No.202 of 2017 stands disposed off accordingly.

## M.A.203/2017

The Applicant is seeking direction to the Chief Conservator of forest (CCF) for production of the Record and Proceedings granting approval of transfer of the forest lands in question of district Gadchiroli to FDCM. The record would throw light on the controversy in question.

We have before us Mr. D.M.Gupte learned Counsel appearing on behalf of the Forest Department, who submits that such record is in possession and control of Respondent No.3-CCF. We, therefore, direct Respondent No.3 that the said record or its self-attested copies shall be placed before us on the next date.

M.A.No.203 of 2017 stands disposed off accordingly.

Item No. 9 November 27, 2017 Order No.6 Learned Counsel appearing on behalf of the Applicant submits that at the time of admission of PIL, the Hon'ble High Court had granted an Adinterim relief restraining felling of trees by the Respondent-Authorities or grant of any permission thereto by them until further orders vide Order dated 20<sup>th</sup> April, 2016. Later on, this direction further transmuted in the direction to the parties to maintain 'Status Quo' till such time the Tribunal passes any order in the matter vide order dated 16<sup>th</sup> June, 2016.

Let the status quo to continue till further orders.

Learned Counsel appearing on behalf of the Applicant submits that Respondents be directed to respond to the affidavit in re-joinder dated 7<sup>th</sup> November, 2017, which speaks about felling of trees despite directions passed by the Hon'ble High Court. Respondents to give their responses to the affidavit in re-joinder dated 7<sup>th</sup> November, 2017. Copies of the said affidavit, if not furnished, be furnished to the learned Counsel appearing on behalf of contending Respondents.

List the case on 8<sup>th</sup> January, 2018.



hkk