

NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Appeal No. 1/2012

Thursday, the 15th day of March, 2012

Quorum:

1. Hon'ble Justice Shri C. V. Ramulu
(Judicial Member)
2. Hon'ble Dr. Devendra Kumar Agrawal
(Expert Member)

BETWEEN:

REAL GEM BUILDTECH PVT. LTD.

Gen. A. K. Vaidya Marg
Goregaon East,
Mumbai – 400 063

.....

Appellant

AND

STATE OF MAHARASHTRA

Through the Environment Department
Member Secretary Environment
217, Mantralaya, Mumbai

.....

Respondent

(Advocates appeared: Mr. S Ravi with Mr. Rishi Agrawal and Ms. Megha Mehta Agrawal for Appellant, Mr. D. M. Gupte and Mr. D. T. Devade, Sr. Law Officer for Respondent).

ORDER

(Order delivered by the Bench)

The appellant has filed an affidavit on 7th March, 2012 stating that State Environment Impact Assessment Authority in its 44th meeting has granted Environment Clearance on 23rd / 24th February, 2012. Thus the matter has become infructuous.

However, the learned counsel for the appellant states that appellant is entitled for grant of approval for 3 basements (from the current amended proposal of 2 basements), as the appellants original proposal was for 3 basements and various other projects in the vicinity of the appellant project have been granted EC with 3 basements. Whereas, in case of appellant EC was granted only for 2 basements.

Whether appellant is entitled for 3 basement or 2 basements cannot be gone into by this Tribunal. The appellant is at liberty to work out remedies as available under law by way of filing representation before the appropriate authority, if any.

With the observation the matter stands closed as infructuous. No cost.

(Dr. Devendra Kumar Agrawal)
Expert Member

(Justice C V Ramulu)
Judicial Member