

Item No.6

(Pune Bench)

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**ORIGINAL APPLICATION NO.39 OF 2025 (WZ)**

Dr. Snehal Donde & Anr.

.....Applicants

***Versus***

Bhiwandi Nizampur Municipal Corporation & 6 Ors.

....Respondents

**Date of hearing: 09.02.2026**

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE MR. SUDHIR KUMAR CHATURVEDI, EXPERT MEMBER**

Applicants : Ms. Ronita Bhattacharya Bector, Advocate  
Respondents : Mr. Saurabh Raut, Advocate h/f  
Mr. Manish Kelkar, Advocate for R-1/BNMC  
Ms. Pooja Natu, Advocate h/f  
Ms. Manasi Joshi, Advocate for R-4/MPCB  
Mr. Aniruddha Kulkarni, Advocate for R-5/Envt. Deptt. &  
R-7/Tourism Deptt.  
Mr. Pushkal Mishra, Advocate for R-8/MoEF&CC

**ORDER**

1. In compliance with our previous order dated 28.11.2025, Respondent No.1- Bhiwandi Nizampur Municipal Corporation has provided English translation of the analysis report, which is taken on record, a copy of which is said to have been served upon learned counsel for the applicants. In this report, it is indicated that water is found to be fit for drinking purposes on various dates i.e. on 26.08.2024, 29.08.2025 and 28.08.2025.

2. Learned counsel for the applicants has rebutted the above report by saying that as against this, the report, which has been submitted today by learned counsel for Respondent No.4- MPCB, which is in tabular form

without an affidavit, shows high contamination of the tap water at Varhaladevi Mandir, as the Biochemical Oxygen Demand (BOD) level on 05.01.2026 is found to be 4.6 and Dissolved Oxygen is found to be 5.8, which are on the higher than the prescribed limit. Faecal Coliform (MPN technique) is also reported to be 170 and Total Coliform (MPN technique) is reported to be 1600, which are extremely high. Hence, this report suggests that the said water is not potable at all.

3. Learned counsel for Respondent No.4- MPCB has submitted that as the sample has been taken on 06.02.2026, which is sent for analysis to National Accredited Agency i.e. Skylark Lab and result of the same is likely to be received within two to three weeks, she prays for three to four weeks' time to be allowed to submit the said report to this Tribunal. We grant her the said time with a direction that a copy of the same be served upon all the other parties.

4. Looking to the above report, learned counsel for the applicants has prayed that an interim relief may be granted stopping the circulation of the tap water for drinking purposes to the people in that location and further, an order may be passed for supplying of the potable water to the local residents. She has submitted that the said prayer is already made at page no.44 of the paper book in prayer clause (i) of the present Original Application.

5. In view of above observations, we allow the request made by learned counsel for the applicants and direct Respondent No.1 to arrange for potable water to be supplied to the local residents through tankers, till the time the next report, which is to be submitted by the MPCB, comes on record.

6. We also find that Respondent No.1 through their reply affidavit dated 18.09.2025 has submitted that the proposal for conservation of the lake has been submitted to the Steering Committee headed by the Respondent No.5- Principal Secretary (Environment), State of Maharashtra on 04.07.2023 and is awaiting approval under the National Plan for Conservation of Aquatic Eco-systems (NPCA) from the Wetland Division of Ministry of Environment, Forest and Climate Change, Government of India, New Delhi.

7. We find that the Wetland Division of Ministry of Environment, Forest and Climate Change, Government of India, New Delhi has already been impleaded as Respondent No.8 in the present Original Application, and from their side, learned counsel Mr. Pushkal Mishra has appeared and seeks four weeks' time to file reply affidavit in this matter. We grant him the said time.

8. From the side of Respondent No.5 – Environment Department and Respondent No.7 – Tourism and Cultural Affairs Department, learned counsel Mr. Aniruddha Kulkarni has appeared and seeks four weeks' time to file reply affidavit in this matter. We grant him the said time. He has further submitted that the Department of Environment and Climate Change, Government of Maharashtra has also written a letter dated 18.09.2023 to the Wetland Division, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi, wherein it is made clear that a proposal for conservation of Varaladevi lake has already been submitted to the MoEF&CC on 04.07.2023 and that no response so far has been received from the MoEF&CC in this regard. Therefore, it is prayed by him that a direction may be issued to MoEF&CC to send reply to the said letter to Respondent No.5. We direct accordingly to Respondent

No.8- MoEF&CC to send the said reply to Respondent No.5 within two weeks.

9. Learned counsel for the applicants has also pointed out that Respondent No.1 may further be directed to consider setting up and operationalizing necessary Soil Biotechnology Plants by diverting the sewage from the lake to such Soil Biotechnology Plants as per the proposal of the applicants. We allow her request and direct Respondent No.1- Bhiwandi-Nizampur Municipal Corporation to provide reply to the same to the applicants within two weeks.

10. Put up this matter for further consideration on 27.03.2026.

**Dinesh Kumar Singh, JM**

**Sudhir Kumar Chaturvedi, EM**

February 09, 2026

ORIGINAL APPLICATION NO.39 OF 2025 (WZ)

P.Kr.