

Item No.2

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid VC Option)

IA No. 606/2023

IN

Original Application No. 432/2021

Shiv Singh

...Applicant

Versus

State of Rajasthan & Ors.

...Respondents

Date of hearing: 03.07.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None.

Respondents: Mr. Azmat H. Amanulla, Advocate for Respondent No. 5-the Project Proponent applicant in I.A. No. 606/2023.

Application is registered based on a letter petition received by Post.

ORDER

1. The applicant has filed Interim Application No. I.A. No. 606/2023 seeking the following reliefs:

A. Allow the present application and quash the Show Cause Notice dated 14.03.2023 issued to the Respondent No. 5 by RSPCB;

B. Till the disposal of the present application, pass interim Orders staying all further proceedings pursuant to the said Show Cause Notice dated 14.03.2023; and

C. Pass any other, further Order(s) in favour of the Respondent No. 5 in the interest of justice.

2. We have heard the Learned Counsel for the applicant and gone through the relevant record.

3. No ad interim injunction can be granted restraining PCB from exercising statutory powers conferred on it and taking further proceedings on the basis of the show cause notice issued by it to the applicant Respondent no. 5-Project Proponent and pass appropriate orders including order imposing environmental compensation. In case the applicant feels aggrieved from any order passed by RSPCB pursuant to any show cause notice imposing any environmental compensation on the applicant, then the applicant will have equally efficacious remedy of availing appropriate legal remedies in accordance with the prescribed procedure.

4. In view of the above, interim application No. 606/2023, being premature and devoid of any merit, is dismissed.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

July 03, 2023

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