

Item No. 06

Court No. 1

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

Original Application No. 406/2023
(I.A. No. 338/2024)

Mohd. Farman & Anr. (Earlier Barbar Ali)

Applicant(s)

Versus

State of UP & Ors.

Respondent(s)

Date of hearing: 11.11.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Hasil Jain & Mr. Rahul Khurana, Advs. for Applicant

Respondents: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Mr. Saurabh Kirpal, Senior Advocate with Mr. Anunaya Mehta, Ms.
Satya Jha, Mr. Akash Deep Singh & Ms. Adya, Advs. for R - 4

ORDER

1. I.A. No 338/2024 has been filed by Respondent No. 4 questioning order dated 28.11.2023 issued by UPPCB imposing the environmental compensation. The I.A. has been objected to by the applicant in the O.A. by submitting that against such an order remedy of appeal is available.

2. Learned Counsel for Respondent No. 4, seeks permission to withdraw I.A. No. 338/2024 with liberty to avail such other remedies as are available in law.

3. During the course of the arguments, the issues of utilization of fly ash/inert, tree plantation, water balance, spent wash use/management and fuel used by PP came up.

4. The Counsel for Respondent No. 4 seeks four weeks to file a further affidavit depicting the compliance in respect of the above issues.

5. The UPPCB is also directed to look into these issues and file a fresh affidavit in respect of compliance by Respondent No. 4 within four weeks.

6. List on 28.02.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 11, 2024
O.A. No. 406//2023
HB..