

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

Review Application No. 28/2023

IN

Original Application No. 691/2022
(I.A. No. 664/2023)

Rama Shanker Awasthi

Applicant(s)

Verses

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 04.10.2023

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

ORDER

1. This Review Application, filed under Rule 22 of National Green Tribunal (Practices and Procedure) Rules, 2011, seeks review of judgment dated 13.02.2023 passed by this Tribunal, disposing Original Application (hereinafter referred to as '**OA**') No. 691/2022 finally.

2. One of the basic grounds seeking review is that the order was passed in violation of principle of natural justice in as much as no opportunity was granted to applicant to file objections to the Report dated 10.02.2023 which was not even uploaded on 13.02.2023 when OA was disposed of in as much as Report was actually uploaded on 16.02.2023. Hence, applicant had no opportunity to file any objection to the said Report. Reliance is placed on Supreme Court's judgment in ***Civil Appeal No. 3856/2022, Singrauli Super Thermal Power Station vs. Ashwani Kumar Dubey and Ors.***

3. Record shows that Report which was considered by Tribunal on 13.02.2023, was not uploaded on the website of Tribunal by the said date and in fact, it was uploaded subsequently. *Prima-facie*, the case for review is made out.

4. Issue notice to the respondents to file their responses within three weeks. Registry is directed to take necessary steps.

5. List the case on 09.11.2023.

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

October 04, 2023
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