

Item No. 13

Court No. 1

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

Original Application No. 562/2023  
(IA No 716/2023)

Varun Gulati

Applicant

Versus

MoEF&CC & Ors.

Respondent(s)

Date of hearing: 09.08.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. S.A. Zaidi, Ms. Mansi Chahal & Mr. Kapil Sagar, Advs. for  
Applicant

Respondent: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)  
Mr. Bhanwar Pal Singh Jadon & Mr. Devesh Pratap Singh, Advs. for the  
State of UP

**ORDER**

1. In this Original Application, the issue of filling up the posts of the concerned Officers in the UPPCB is involved. The compliance affidavit dated 07.08.2024 has been filed by the State of Uttar Pradesh. In that affidavit, it has been stated that the same issue is pending before Hon'ble Supreme Court in WP(C) No. 13029/1985, M.C. Mehta vs. Union of India & Ors. and the copy of the order of the Hon'ble Supreme Court dated 10.07.2024 has been palced on record where the Hon'ble Supreme Court has observed as under:-

*"9. Notwithstanding the order passed by this Court more than two months back on 22nd April, 2024, the State of Uttar Pradesh has not filed an affidavit.*

*10. We direct the Chief Secretary of the State of Uttar Pradesh to file an affidavit laying down the time-bound schedule for filling in all vacant posts on the establishment of the State Pollution Control*

*Board. The affidavit shall be filed within a period of three weeks from today.*

*11. For considering the affidavits in terms of this order, list on 20th August, 2024.*

*12. As far as the issue of solid waste disposal in Delhi is concerned, the case is already ordered to be listed on 26th July, 2024.”*

2. Learned Counsel for the State of UP has informed that the matter is coming up before the Hon’ble Supreme Court on 20.08.2024.

3. In view of the above, OA is adjourned.

4. List on 22.11.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 09, 2024  
Original Application No. 562/2023  
(IA No 716/2023)  
SN