

Item No.01

Court No. 2

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 587/2023

Suman

...Applicant

Vs

Asha Devi & Ors.

...Respondents

Date of hearing: 29.09.2023

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

Applicant: Mr. Tarun Cummra, Advocate.

**Application under Section 14, 15 and 16 of the National Green
Tribunal Act, 2010.**

ORDER

1. The applicant-Suman w/o Krishan Kumar resident of House Number 599, Village Karhans, Tehsil Samalkha, District Panipat, Haryana – 132101 has filed the present application under sections 14, 15 and 16 of the National Green Tribunal Act, 2010 complaining that respondent no.1-Asha Devi has leased out her agricultural land specifically Khasra No. 82//8/2/1,9/2,9/1,10/1 situated on Beholi Road, Karhans, Tehsil Samalkha, District Panipat, Haryana to a third party, who is operating a chemical factory and dye house by the name of “UNIQUE ENTERPRISES” without obtaining requisite permissions. The factory, “Unique Enterprises”, has been releasing hazardous chemicals into the Environment, posing a great threat to the local agricultural ecosystem and the health of the residents of the locality. The toxic substances are causing extensive harm to the crops. Chemically laden

water is being illegally discharged into the ground by digging pits. The factory was inspected by the Haryana pollution Control Board on 26.07.2023 and was found to have been established and engaged in the process of bleaching of cotton covered under red category and manufacturing of bleach covered in the orange category without obtaining CTE/CTO and without installing ETP.

2. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

3. Let notices alongwith copies of the application and documents attached therewith be issued to respondents requiring them to file their reply/response to the allegations made in the application on or before 12.10.2023 by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

4. The applicant is directed to take requisite steps for service of notices on the respondents by 04.10.2023 and file an affidavit in this regard on or before 05.10.2023.

5. List for further consideration on 13.10.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 29th, 2023
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