

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

Original Application No. 304/2019
(M.A. No. 81/2021, M.A. No. 83/2021,
M.A. No. 96/2021 & M.A. No. 85/2021 to
M.A. No. 88/2021, I. A. No. 184/2022,
I. A. No. 434/2023 & I. A. No. 435/2023,
I. A. No. 439/2023 to I. A. No. 444/2023,
I. A. No. 660/2023 to I. A. No. 662/2023)

M. Haridasan Applicant

Versus

State of Kerala & Ors. Respondent(s)

Poabs Granites (Pvt.) Ltd. & Anr.	Applicants in MA 81/2021
M/s. Panachayil Industries	Applicant in MA 83/2021
Crystal Granites Ltd. & Anr.	Applicants in MA 96/2021
Raju K. Thomas & Ors.	Applicants in MA 85/2021
Reji Joseph & Anr.	Applicants in MA 86/2021
Thomsun Aggregates	Applicant in MA 87/2021
Michael Granites & Ors.	Applicants in MA 88/2021

Date of hearing: 05.10.2023

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Nishtha Kumar, Adv. for Original Applicant

Respondent: Mr. Nishe Rajen Shonker & Mr. Alim Anvar, Adv. for the State of Kerala
Mr. Jogy Scaria & Ms. Beena Victor, Adv. for KSPCB
Mr. Atmaram N.S. Nadkarni, Senior Advocate with Mr. S.S. Rebello & Mr. Mahesh Agarwal, Adv. in I.A 434/2023
Mr. John Mathew, Adv. in I.A 435/2023
Mr. Ravi Prakash Mehrotra, Senior Advocate with Mr. Alex M. Scaria & Ms. Usha Nandini, Adv. in I.A 439-440/2023
Mr. Anshuman Shrivastava, Mr. Abhijeet Shrivastava & Ms. Usha Nandini Adv. in I.A 442-444/2023
Mr. A. Karthik, Mr. Enoch D. Simon Joel & Ms. Smrithi Suresh, Adv. in I.A 660-662/2023
Mr. Abhilash M.R & Mr. Sayooj Mohandas, Adv.
Mr. E.M.S. Anam & Mr. M.S. Vishnu Shankar, Adv.

ORDER

1. This original application involves the issue of providing safeguards against operation of stone quarries close to the residences and public roads in Kerala.
2. The Tribunal had earlier issued certain directions and aggrieved with the same, some of the affected parties had approached the Hon'ble Supreme Court by filing the Civil Appeal Nos. 6273 of 2021, Civil Appeal Nos. 12122 – 12123 of 2018 and connected Civil Appeals. Hon'ble Supreme Court has relegated the appellants to the Tribunal to file a formal application and raise all contentions therein.
3. MA Nos. 85/2021, 86/2021, 87/2021, 88/2021 and IA Nos. 434/2023, 435/2023, 439/2023, 442/2023, 660/2023, 661/2023 and 662/2023 in OA No. 304/2019 have been filed by the affected parties seeking impleadment.
4. Though a letter was circulated by the Counsel for the Kerala State PCB with a prayer for adjournment on the ground of personal difficulty but the Counsel for the State PCB is present today and he has not pressed for such an adjournment, nor he has opposed the prayer for impleadment.
5. Having regard to the circumstances of the case, we deem it proper to allow the prayer for impleadment made in MA Nos. 85/2021, 86/2021, 87/2021, 88/2021 and IA Nos. 434/2023, 435/2023, 439/2023, 442/2023, 660/2023, 661/2023 and 662/2023 in OA No. 304/2019. If there is any other prayer, in addition to the prayer for impleadment, in the above MAs and IAs, then the concerned applicant will be at liberty to file fresh IA for the said prayer.

6. MA Nos. 85/2021, 86/2021, 87/2021, 88/2021 and IA Nos. 434/2023, 435/2023, 439/2023, 442/2023, 660/2023, 661/2023 and 662/2023 in OA No. 304/2019 are accordingly disposed of.

7. Registry is directed to prepare amended memo of parties.

8. The newly added respondents will be at liberty to file objection/reply within six weeks.

9. List on 08.12.2023.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 05, 2023
Original Application No. 304/2019
DV