

Item No.01

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, FINANCE CENTRE
KOLKATA
(Through Physical Hearing With Hybrid VC Option)**

Original Application No. 183/2023 (EZ)
I.A No. 68/2023/EZ

Vishal Kumar

Applicant

Versus

Bihar Foundry and Casting Ltd & Ors.

Respondents

Date of hearing: 20.12.2023

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

Applicant: Mr. Akshar Bhatt, Advocate for the applicant.

Application under Section 14 of the National Green Tribunal Act, 2010

ORDER

1. The applicant has filed the present application under section 14 of the National Green Tribunal Act, 2010 with prayer to direct respondent no. 2 to hold the grant of environmental clearance to respondent no. 1 till the time it complies with the extant laws, to direct respondent no. 3 to order closure of operations of respondent no. 1 and rescind CTO dated 23.01.2023, to direct respondent no. 1 to install continuous ambient air quality monitoring system, to comply with all the recommendations of the inspections of IRO dated 14.02.2017, 02.10.2020 and 05.01.2022 and to develop 40 % green belt and to direct respondent no.6 to revoke the NoC granted on 02.01.2021 to respondent no. 1.

2. I.A. No. 68/2023 has been filed by the applicant ad interim injunctive relief as mentioned therein.

3. Learned Counsel for the applicant has submitted that respondent no. 1 is operating the units in question without EC on the basis of CTO granted by Jharkhand SPCB in violation of O.Ms./letters issued by MoEF & CC.

4. We have heard the learned Counsel for the applicant and gone through the relevant record.

5. In the course of hearing it has come to our notice that O.A. No. 44/2023 (EZ) and O.A. No. 141/2023 (EZ) are already pending against the Project Proponent- M/s. Bihar Foundry and Castings Ltd. before Eastern Zone Bench of this Tribunal.

6. No ground for grant of ex parte ad interim injunctive relief is made out.

7. It will be appropriate that the present application is listed before Eastern Zone Bench of this Tribunal with O.A. No. 44/2023 (EZ) and O.A. No. 141/2023 (EZ) on the date of hearing fixed i.e., 15.01.2024.

8. List on 15.01.2024 with above said O.As. before Eastern Zone Bench of this Tribunal.

Arun Kumar Tyagi, JM

A. Senthil Vel, EM

December 20th, 2023
AG