

Item No.08

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Miscellaneous Application No.16/2022/EZ
In
Original Application No.81/2020/EZ

Arti Sinha

Applicant

Versus

The Executive Officer, Mihijam
Nagar Parishad & Ors.

Respondents

Date of hearing: 08.04.2026

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: None for the original applicant.

Respondents: Ms. Aishwarya Rajyashree, Advocate for respondents no.3, 6 and 7 (through VC).
Mr. Surendra Kumar, Advocate for respondents no.4 and 5 (through VC).

ORDER

1. The applicant filed Original Application No. 81/2020/EZ with the allegations that the solid waste management activities are being carried out illegally in violation of the Solid Waste Management Rules, 2016 and the Environment (Protection) Act, 1986 within the Mihijam area, District Jamtara, Jharkhand.

2. The abovesaid O.A. was disposed of vide order dated 23.02.2022 directing Jharkhand State Pollution Control Board to submit report by 30.06.2022 indicating whether the recommendations and directions given in the judgment have been complied with by the Mihijam Nagar Parishad or not.

3. Since report was not filed by Jharkhand State Pollution Control Board as directed above, the matter was listed by the Registry before the Bench by registering M.A. No. 16/2022/EZ.

4. In the course of hearing, counter affidavit dated 17.09.2022 and counter affidavit dated 17.01.2023 were filed by respondent no. 4.

5. In the course of hearing, it was pointed out that Civil Appeal No.5193/2022, *Mihijam Nagar Parishad Vs. Arti Sinha & Ors.* is still pending for consideration before the Hon'ble Supreme Court and the stay order is still continuing in the said case.

6. This Tribunal has already adjourned the case for more than twenty dates in view of the pendency of the above said Civil Appeal.

7. Disposal of the above said Civil Appeal is likely to take some time. No useful purpose will be served by repeatedly adjourning the matter during pendency of the abovesaid Civil Appeal. No prejudice will be caused to the parties if the present Miscellaneous Application is adjourned *sine die* as any of the parties may move this Tribunal for revival thereof.

8. Accordingly, the present Miscellaneous Application is adjourned *sine die* with liberty that any of the parties may move this Tribunal for revival thereof, after decision of the abovesaid Civil Appeal by Hon'ble Supreme Court of India, for further proceedings, if so required.

Arun Kumar Tyagi, JM

Ishwar Singh, EM

April 08th, 2026
Miscellaneous Application No.16/2022/EZ
In Original Application No.81/2020/EZ
SN