

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. OF 2019
(D No.10664/2019)

STATE OF UTTAR PRADESH

APPELLANT(s)

VERSUS

AMIT UPADHYAY & ORS.

RESPONDENT(s)

O R D E R

Application for permission to file Civil Appeals is allowed.

The grievance of the State of Uttar Pradesh, which is in appeal in the present proceedings, is that though it has moved an application for impleadment before the National Green Tribunal¹, its application was not formally dealt with and a decision was taken to continue the earlier *ad interim* order.

The order of the NGT dated 31 January 2019 indicates that the proceedings are due to appear before the NGT on 8 April 2019. We are of the view the State of Uttar Pradesh should be heard by the NGT and that, its impleadment application should be allowed.

The NGT may pass a formal order in terms of the present order allowing the application for impleadment. The NGT shall also consider the submissions which will be urged on behalf of the State of Uttar Pradesh before a

1 "NGT"

decision is taken to continue or, as the case may be, modify the *ad interim* order.

With these observations, the appeals are disposed of.

.....J.
(DR DHANANJAYA Y CHANDRACHUD)

.....J.
(HEMANT GUPTA)

NEW DELHI
APRIL 05, 2019

ITEM NO.62

COURT NO.11

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NOS. _____ OF 2019
(D No.10664/2019)

STATE OF UTTAR PRADESH

APPELLANT(s)

VERSUS

AMIT UPADHYAY & ORS.

RESPONDENT(s)

(WITH IA No.52786/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.52787/2019-STAY APPLICATION and IA No.52785/2019-PERMISSION TO FILE APPEAL)

Date : 05-04-2019 These appeals were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s)

Mr. Pradeep Misra, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Application for permission to file Civil Appeals is allowed.

The appeals are disposed of in terms of the signed order.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SUNIL KUMAR RAJVANSHI)
COURT MASTER

(Signed order is placed on the file)