

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.3830-3831 OF 2020

MACHINDRA THORVE

... APPELLANT(S)

VS.

STATE OF MAHARASHTRA & ORS.

... RESPONDENT(S)

O R D E R

Heard the learned senior counsel appearing for the appellants and the learned counsel appearing for the respondents.

The appeal preferred by the appellant challenging Environmental Clearance granted on 2nd March, 2020 has been dismissed by the National Green Tribunal on the ground of bar of limitation.

On 23rd March, 2020, this Court passed a general order extending the period of limitation with effect from 15th March, 2020 during Covid period. The said order was in operation till 14th March, 2021.

In the present case, the appeal was filed by the appellant on 17th July, 2020. Therefore, we fail to understand how the appeal was barred by limitation.

Accordingly, we set aside the impugned order of the National Green Tribunal and consequently, set aside the order passed on the Review Application as well.

Now, Appeal No.31 of 2020 shall be heard by the National Green Tribunal in accordance with law.

The appeals are accordingly allowed.

.....J.
(ABHAY S.OKA)

.....J.
(SANJAY KAROL)

NEW DELHI;
August 11, 2023.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 3830-3831/2020

MACHINDRA THORVE

Appellant(s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

(IA No. 122534/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 38288/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 11-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE SANJAY KAROL

For Appellant(s)

Ms. Anitha Shenoy, Sr. Adv.
Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.
Ms. Ayushma Awasthi, Adv.
Ms. Namrata Sarah Caleb, Adv.

For Respondent(s)

Mr. Anand Dilip Landge, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.

Mr. Vivek C. Solshe, Adv.
Mr. Varun V. Solshe, Adv.
Mr. Pradeep Kumar Gupta, Adv.
Mr. Ashok Kumar Gupta II, AOR

Mr. Mukesh Verma, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mr. Pawan Kumar Shukla, Adv.
Mr. Shashank Singh, AOR
Mr. Ashish Kumar Pandey, Adv.

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

The appeals are allowed in terms of the signed
order.

Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)