

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No _____ of 2020
[Diary No26788/2020]

Shri Bapu Dnyandeo Bankar and Another

Appellant(s)

Versus

Mr Nilkanth Rajaram Raskar and Others

Respondent(s)

ORDER

- 1 There is a delay of 586 days in filing the Civil Appeal which has not been satisfactorily explained.
- 2 Civil Appeal No 1587 of 2019 against the impugned order of the National Green Tribunal dated 31 January 2019, imposing damages for environmental compensation against the sugar factory, has been dismissed by this Court on 15 February 2019. The earlier proceedings were titled as *M/s Saswad Mali Sugar Factory Ltd vs Nilkanth Rajaram Raskar and Others*.
- 3 In view of the dismissal of the earlier appeal, the order of the National Green Tribunal has attained finality. The correctness of the order cannot be reopened at the behest of two employees. Hence, we find no merit in the Civil Appeal.

- 4 The Civil Appeal is, therefore, dismissed on the ground of delay as well as on merits.
- 5 Pending applications, if any, stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Indira Banerjee]

New Delhi;
December 16, 2020
CKB

ITEM NO.16 Court 6 (Video Conferencing) 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 Diary No.26788/2020

(Arising out of impugned final judgment and order dated 31-01-2019
in OA No.368/2018 passed by the National Green Tribunal)

SHRI BAPU DNYANDEO BANKAR & ANR. **Petitioner(s)**

VERSUS

MR NILKANTH RAJARAM RASKAR & ORS. **Respondent(s)**

(With appln.(s) for IA No.129418/2020-EXEMPTION FROM FILING C/C OF
THE IMPUGNED JUDGMENT and IA No.129416/2020-STAY APPLICATION and IA
No.129414/2020-PERMISSION TO FILE APPEAL and IA No.129415/2020-
CONDONATION OF DELAY IN FILING APPEAL and IA No.129420/2020-
PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-12-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s)

Mr. Sudhanshu S. Choudhari, AOR

For Respondent(s)

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

- 1 Permission to file the appeal is granted.
- 2 The civil appeal is dismissed on the ground of delay as well as on merits in terms of the signed order.
- 3 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Court Master

(Signed order is placed on the file)