

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

**CIVIL APPEAL NO(S). 10113 OF 2018**

**SRIBASH JENA ... APPELLANT(S)**

**Versus**

**SARBESWAR BEHURA & ORS. ... RESPONDENT(S)**

**O R D E R**

The impugned order passed by the National Green Tribunal (NGT) is an ex parte order without issuing notice and without hearing the affected parties i.e. the appellant.

2. In that view of the matter, we set aside the impugned order dated August 31, 2018 and restore the Original Application No. 604 of 2018 along with Miscellaneous Application No. 1286 of 2018.

3. The NGT is free to pass fresh orders in accordance to law, after taking into consideration the respective arguments that may be raised by the learned counsel for the parties and material placed on record.

4. The appeal is allowed accordingly.

5. Pending application(s), if any, shall stand disposed of.

..... J.  
[VIKRAM NATH]

..... J.  
[ SATISH CHANDRA SHARMA]

NEW DELHI;  
MARCH 19, 2024.

ITEM NO.33

COURT NO.9

SECTION XVII

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). 10113/2018

SRIBASH JENA

Appellant(s)

VERSUS

SARBESWAR BEHURA & ORS.

Respondent(s)

( IA No. 142797/2018 - EX-PARTE STAY IA No. 142799/2018 - EXEMPTION  
FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 19-03-2024 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE VIKRAM NATH  
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Appellant(s) Mr. P. N. Misra, Sr. Adv.  
Mr. Mukul Kumar, AOR

For Respondent(s) Mr. Ashok Kumar Panda, Sr. Adv.  
Mr. Tejaswi Kumar Pradhan, AOR  
Mr. Manoranjan Paikaray, Adv.  
Mr. Shashwat Panda, Adv.  
Mr. Ritwik Kumar, Adv.  
Mr. Aniket Gupta, Adv.

Mr. D. Bharat Kumar, Adv.  
Mr. Aman Shukla, Adv.  
Mr. Pulimamidi Shashidhar Reddy, Adv.  
Mr. Chalasani Venkat, Adv.  
Mr. Dasari Muralee Mohan, Adv.  
Mr. M. Chandrakanth Reddy, Adv.  
Mr. Gopal Jha, AOR

Mr. Som Raj Choudhury, AOR  
Ms.S. Aradhana, Adv.  
Mr. Prashant Kumar, Adv.

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

The appeal is allowed in terms of the signed  
order.

Pending application(s), if any, shall stand  
disposed of.

(SONIA BHASIN)  
COURT MASTER (SH)

(RANJANA SHAILEY)  
COURT MASTER (NSH)

[Signed Order is placed on the file]