

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.8590 OF 2019

M/S. KAMTANATH ENTERPRISES PVT. LTD. APPELLANT(S)

VERSUS

AMIT UPADHYAY & ORS. RESPONDENT(S)

WITH

Civil Appeal Nos.8591-8592/2019

Civil Appeal Nos.8152-8153/2019

Civil Appeal No.9053/2019

Civil Appeal No...../2019 (@Diary No.41496/2019)

Civil Appeal No...../2019 (@Diary No.41519/2019)

O R D E R

Applications seeking permission to file the appeals are allowed.

The appeals being Diary Nos.41496/2019 and 41519/2019 are admitted.

After hearing learned counsel appearing for the parties, upon perusal of the record and by consent of the parties, we pass the following orders :

It is not disputed that the environment clearance of large number of licensees have been set aside without an opportunity given to them for being heard by the Principal Bench, National Green Tribunal, New Delhi, (for short, the 'Tribunal').

We therefore consider it appropriate to allow these appeals, set aside the impugned orders and the consequential

orders, and remand the matter back to the Tribunal for a fresh decision after hearing the affected parties.

Order accordingly.

It is made clear that we have not expressed our view on the merits of the impugned decision rendered by the Tribunal. The Tribunal is free to pass such interim order as it may consider appropriate pending final decision in the matter.

The parties are directed to appear before the Tribunal on 17.12.2019.

.....CJI  
[S.A. BOBDE]

.....J  
[B.R. GAVAI]

.....J  
[SURYA KANT]

NEW DELHI;  
DECEMBER 13, 2019.

OUT TODAY

ITEM NO.6 + 42

COURT NO.1

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).8590/2019

M/S. KAMTANATH ENTERPRISES PVT. LTD.

Appellant(s)

VERSUS

AMIT UPADHYAY &amp; ORS.

Respondent(s)

(With IA No.159224/2019-STAY APPLICATION TO BE LISTED)

WITH C.A. No. 8591-8592/2019 (XVII)  
(For IA No.160664/2019-STAY APPLICATION)C.A. No. 8152-8153/2019 (XVII)  
(For IA No.161408/2019-STAY APPLICATION)C.A. No. 9053/2019 (XVII)  
(For IA No.171301/2019-EX-PARTE STAY)

Diary No.41496/2019

(With appln.(s) for exemption from filing c/c of the impugned judgment and for stay and for permission to file appeal)

Diary No.41519/2019

(With appln.(s) for exemption from filing c/c of the impugned judgment and for stay and for permission to file appeal)

Date : 13-12-2019 These applications and appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE SURYA KANT

For Appellant(s)

Mr. Shyam Divan, Sr. Adv.  
Mr. Anish Kumar Gupta, AOR  
Mr. Chandra Shekhar Suman, Adv.  
Ms. Archana Preeti Gupta, Adv.  
Ms. Deepshika Bharati, Adv.  
Mr. Puneet Sheoran, Adv.  
Ms. Rita Gupta, Adv.  
Ms. Harsha, Adv.  
Mr. Abhishek C. Gupta, Adv.

Mr. Ajit Sharma, AOR

Mr. Tushar Mehta, Ld.SG/Sr. Adv.

Mr. Pradeep Rai, Sr. Adv.

Mr. Pradeep Misra, AOR

Mr. Prateek Som, Adv.

Mr. Alok Panday, Adv.

Mr. Shaheen Parween, Adv.

Mr. Ranjit Kumar, Sr. Adv.

Mr. Daleep Dhyani, Adv.

Mr. Abhishek Yadav, AOR

For Respondent(s) Mr. P.S. Patwalia, Sr. Adv.

Mr. Vanshdeep Dalmia, AOR

Mr. Suchakshu Jain, Adv.

Mr. Mayank Pandey, AOR

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

Applications seeking permission to file the appeals are allowed.

The appeals being Diary Nos.41496/2019 and 41519/2019 are admitted.

These appeals are allowed in terms of the signed order.

Pending interlocutory applications, if any, stand disposed of.

(SANJAY KUMAR-II)  
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)

PS : Copy of this Order be given today