

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) 672-673 of 2021
(@ Diary No(s).3717/2021)

SHER BAHADUR SINGH & ORS.

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

O R D E R

Permission to file appeal is granted.

O.A.No.186/2019 passed by the National Green Tribunal, Principal Bench, at New Delhi was concerned with the remedial action against extraction of groundwater for washing silica sand in Shankargarh Block, Allahabad District, Uttar Pradesh without obtaining necessary NOC from the Central Ground Water Authority (CGWA). The application filed by Jagriti Sansthan was disposed of by considering the report that was filed by the Divisional Commissioner of Prayagraj on 18.06.2020 in which it was stated that environmental compensation has been imposed on 61 units. The National Green Tribunal directed that the compensation be recovered from the violators. The appellants filed a Civil Appeal against the order

passed by the National Green Tribunal which was disposed of this court 24.08.2020. After considering the submissions on behalf of the appellants that they were not heard by the NGT before disposing of the original application, this court granted liberty to the appellants to file a review application before Tribunal. Relying upon an earlier order of this court the review petition was directed to be listed in the open court and an opportunity be provided to the appellants.

The appellants filed an application for review before the Tribunal which was not entertained. The Tribunal permitted the applicants to submit a representation to the State Pollution Control Board which would verify the facts and pass suitable orders in accordance with law.

Mr. Smarhar Singh, learned counsel for the appellant submits that the State Pollution Control Board is not entertaining the representation made by the appellants on the ground that their review application was dismissed by the Tribunal. As there is no ambiguity in the direction of the Tribunal, the State Pollution Control Board shall consider the representations of the applicants and decide in accordance with law.

With the above observations, the appeal(s) is/are disposed of. Pending application(s), if any, shall stand disposed of.

.....J
(L.NAGESWARA RAO)

.....J
(S. RAVINDRA BHAT)

NEW DELHI;
19th February, 2021.

ITEM NO.33 Court 7 (Video Conferencing) 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 Diary No(s).3717/2021

(Arising out of impugned final judgment and order dated 16-07-2020 in OA No.186/2019 22-01-2021 in RA No.53/2020 passed by the National Green Tribunal)

SHER BAHADUR SINGH & ORS. Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS. Respondent(s)

(IA No.23624/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.23623/2021-STAY APPLICATION and IA No.23620/2021-PERMISSION TO FILE APPEAL)

Date : 19-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Smarhar Singh, AOR

For Respondent(s)

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

Permission to file appeal is granted.

The appeal(s) is/are disposed of in terms of the signed order. Pending application(s), if any, shall stand disposed of.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master

(Signed order is placed on the file)