

IN THE SUPREME COURT OF INDIA**CIVIL APPELLATE JURISDICTION****CIVIL APPEAL NO 4554 OF 2019****SHABI HAIDER JAFRI****APPELLANT(S)****VERSUS****THE STATE OF UTTAR PRADESH & ORS.****RESPONDENT(S)****ORDER**

Admitted.

The National Green Tribunal, Principal Bench, New Delhi disposed of OA No 125/2013 on being informed that in respect of the same subject, a matter was pending before this Court and that the State government has filed an application seeking permission to implement the project on the basis of the Environmental Clearance granted by the SEIAA.

In OA No 125/2013 there is a specific challenge to the Environment Clearance granted on 18 November 2011 by the SEIAA to the UP State Industrial Development Corporation Limited for the construction of a leather park complex. The National Green Tribunal is vested with the jurisdiction to decide the issue having regard to the provisions contained in Section 14 read with Section 16(h) of the National Green Tribunal Act, 2010.

In the circumstances, we are of the view that it would be appropriate and proper if the application filed for the grant of an Environmental Clearance is heard and decided by the National Green Tribunal.

We accordingly allow the appeal and set aside the order dated 2 April 2018. OA No 125/2013 is accordingly restored to the file of the National Green Tribunal for fresh disposal.

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

.....J.
[Hrishikesh Roy]

**New Delhi;
December 6, 2019**

ITEM NO.45

COURT NO.7

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 No(s).4554/2019

SHABI HAIDER JAFRI

APPELLANT(S)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

RESPONDENT(S)

(IA No.3173/2019-EXEMPTION FROM FILING O.T. and IA No.3175/2019 - STAY APPLICATION)

Date : 06-12-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Appellant(s)

Mr.Abhinav Shrivastava, AOR
Mr.Sanjay Kr. Pandey, Adv.
Ms.Sana Kamra, Adv.
Mr.Nirmal Prasad, Adv.

For Respondent(s)

Ms.Aishwarya Bhati, Sr.Adv. (AAG)
Mr.Rajeev Kumar Dubey, Adv.
Ms.Pritika Dwivedi, Adv.
Mr.Ashish Rai, Adv.
Mr.Kamlendra Mishra, AOR

Mr.Pradeep Misra, AOR
Mr.Suraj Singh, Adv.

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

Admitted.

The appeal is allowed in terms of the signed order.

Pending applications, if any, stand disposed of.

(Ashok Raj Singh)

Court Master

(Signed Order is placed in the file)

(Saroj Kumari Gaur)

Court Master