

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 787 OF 2023
(ARISING OUT OF DIARY NO(S). 22712 OF 2020)

NAGAR PALIKA PARISHAD RAMNAGAR APPELLANT

VERSUS

UNION OF INDIA AND OTHERS RESPONDENTS

O R D E R

Permission to file the appeal is granted.

Delay condoned.

The learned counsel for the appellant - Nagar Palika Parishad, Ramnagar states that they were not impleaded as a party before the National Green Tribunal (NGT), *albeit* certain observations and findings recorded in the impugned judgment would adversely affect the common effluent treatment plant constructed by them.

It will be open to the appellant - Nagar Palika Parishad, Ramnagar to file an application for review before the NGT. In case any such application is filed, the same would be considered and decided in accordance with law.

We also grant liberty to the appellant - Nagar Palika Parishad, Ramnagar to challenge the impugned order, if necessary, post the decision of the review application.

Recording the aforesaid, the appeal is dismissed, without making any observations on merits.

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

.....J.
(SANJIV KHANNA)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
FEBRUARY 03, 2023.
bp

ITEM NO.13

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). 988-989/2020

STATE OF U.P.

Appellant(s)

VERSUS

CENTRAL POLLUTION CONTROL BOARD & ORS.

Respondent(s)

(IA No.21558/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.21556/2020-EXEMPTION FROM FILING O.T.)

WITH

C.A. No. 2924-2925/2020 (XVII)

(IA No.73964/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.73961/2020-STAY APPLICATION and IA No.73962/2020-EXEMPTION FROM FILING O.T.)

Diary No(s). 22712/2020 (XVII)

(IA No.120175/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.120176/2020-EXEMPTION FROM FILING O.T. and IA No.120173/2020-PERMISSION TO FILE APPEAL and IA No.120174/2020-CONDONATION OF DELAY IN FILING APPEAL)

Date : 03-02-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Mr. Gurbaksh Singh, Adv.
Mr. Sujeet Kumar, Adv.
Mr. Arvind Gupta, AOR
Mr. Avtar Singh, Adv.

Mr. Rana Mukherjee, Sr. Adv.
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Kamlendra Mishra, AOR

Mr. Vijay Kumar, Sr. Adv.
Ms. Bharti Tyagi, AOR

For Respondent(s)

UPON hearing the counsel, the Court made the following

O R D E R

Civil Appeal No(s). 988-989/2020

Issue notice, returnable in the month of July, 2023.

Notices would be served by all modes, including dasti.

In the meanwhile, there would be stay of operation of the direction to deposit the penalty amount subject to the appellants - The State of Uttar Pradesh depositing Rs. 5 Crores, within a period of six weeks from today, with the Central Pollution Control Board.

C.A. No. 2924-2925/2020

Despite second call, none has entered appearance on behalf of the appellant- Uttar Pradesh Jalnigam.

In the interest of Justice, re-notify after two weeks.

Diary No(s). 22712/2020

Permission to file appeal is granted.

Delay condoned.

The appeal is allowed in terms of the signed order.

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

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)

(Signed order is placed on the file)