



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CWP-10636-2023**

Jubilant Software Services Ltd.

... Petitioner

Versus

Union of India & others

... Respondents

Reserved on : 10th March, 2026

Pronounced on : 10th April, 2026

Uploaded on : 10th April, 2026

*Whether only operative part of the judgment is
pronounced or the full judgment is pronounced: full judgment.*

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Gaurav Chopra, Senior Advocate (arguing counsel) with
Mr. Ajiteshwar Singh, Advocates for the petitioner.

Mr. Ashish Rawal, Advocate for respondent No.1.

Mr. Naveen S. Bhardwaj, Addl. Advocate General, Haryana.

SHEEL NAGU, CHIEF JUSTICE

1. This petition filed under Article 226 of the Constitution seeks quashment of order dated 31.03.2023 (Annexure P-17) issued by respondent No.3-Haryana State Level Environment Impact Assessment Authority (SEIAA) levying environmental compensation cost in terms of the orders of the Apex Court as well as the National Green Tribunal (NGT), to the extent of ₹24.78 crores upon the petitioner-Project Proponent for having undertaken construction of an area of 60029 square meters without obtaining environmental clearance.

2. This civil writ petition was earlier disposed of vide order dated 16.05.2023 with liberty to approach the National Green Tribunal for mitigation of their grievances. Thereafter, the petitioner had approached



Apex Court which initially restrained the respondents from taking any coercive steps against the petitioner but later, while disposing of SLA(C) No.11492/2023 vide order dated 16.09.2025, extended liberty to the petitioner to seek review/recall of the order dated 16.05.2023 passed in CWP-10636-2023. While disposing of SLA(C) No.11492/2023, Apex Court stayed the direction regarding deposit of 50% of the compensation amount to enable the petitioner to file review/recalling application.

3. CM-14751-CWP-2025 has been filed for recalling of order dated 16.05.2023 by inter-alia contending that against impugned order dated 31.03.2023 assailed as Annexure P-17 in this civil writ petition and issued by respondent No.3, no remedy of appeal is available and since this Court, while disposing of civil writ petition did not delve into this aspect, the order dated 16.05.2023 be recalled.

4. This Court on 10.03.2026 allowed CM-14751-CWP-2025 and recalled the order dated 16.05.2023 and thereafter, heard the matter and reserved the same for orders.

5. Learned counsel for the respondents have brought to the attention of this Court that respondent No.3 is a body constituted under the Environment (Protection) Act, 1986. It is further contended by learned counsel for the respondents that the NGT, in various cases including that of OA/611/2023 titled '*M/s Ansal Landmark (Karnal) Township Pvt. Ltd. vs. The State Environment Impact Assessment Authority, Haryana & another*' and Appeal No.7 of 2023 (CZ) titled '*S.K.S. Ispat & Power Limited vs. SEIAA (C.G.) & others*', has entertained and decided matters on merits,



challenging the decisions passed by SEIAA imposing environmental damage-cost on Project Proponents.

6. After hearing learned counsel for the rival parties, we have no manner of doubt that since National Green Tribunal Act, 2010 is a complete Code in respect of any dispute which essentially relates to the field of environment, it would be appropriate for the petitioner to approach the National Green Tribunal, for which liberty is extended to the petitioner.

7. In view of the above, this Court refraining from entering into merits of the matter lest the NGT may get prejudiced, declines interference and relegates the petitioner to avail the remedy of approaching NGT.

8. The petition stands disposed of with the aforesaid liberty.

9. Interim order granted by the Apex Court vide order dated 16.09.2025 (Annexure A/3) shall continue to be in operation for a period of 30 days, within which the petitioner ought to approach the NGT, whereafter the NGT would take a call on the question of continuation or otherwise of the interim order.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

April 10, 2026

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No