

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	04.12.2025		WPIL No.139 of 2025 <u>Hon'ble G. Narendar, C.J.</u> <u>Hon'ble Subhash Upadhyay, J.</u> Heard Mr. Aditya Singh, learned counsel for the petitioner through V.C., Mr. J.C. Pandey, learned Standing Counsel for the State of Uttarakhand/ respondent nos.1 to 4, Mr. Aditya Pratap Singh, learned counsel for respondent no.5 and Mr. Piyush Garg, learned counsel for respondent no.6. 2. During the course of hearing, learned counsel for the Pollution Control Board has taken us through the Inspection Report, which is enclosed as Annexure-2 to the counter affidavit dated 01.09.2025 filed on behalf of the 5th respondent. 3. On perusal of the report, it is seen that the Inspecting Team has recorded that the internal roads are damaged, the boundary wall is found damaged in some places and repair work is being carried out at the dust collector. It has also been recorded that the wind-breaking wall is damaged and report concludes that the wind-breaking wall, RCC road and the dust collector are found incomplete or not in compliance. 4. That apart, we have queried as to whether a public hearing has been carried out as required under law and also this Court has sought for copy of the public notice and the record of proceedings which the counsel for the 5th respondent is unable to place before the Court. Counsel for the applicant is also not in a position to submit the said document. Learned counsel for the applicant prays time till Monday to place before the Court the aforementioned documents. 5. That apart, we have queried learned counsel for

			the State as to what methodology has been adopted to measure the distances. He would state that the said material is not available with him. 6. The appellant/applicant preferred SLP(C) Diary No(s).65978/2025 before the Hon’ble Apex Court and the Hon’ble Apex Court in paragraph no.6 and 7 recorded as under:- <i>“6. Consequently, we relegate the petitioner to approach the High Court for vacation/modification of the interim stay order, qua the petitioner. We are informed that the petitioner has already approached the High Court with an appropriate application.</i> <i>7. That being so, we request the High Court to take up the application and pass an appropriate order within three days.”</i> 7. The application is taken up for consideration and on account of the clarification sought by this Court, the applicant has sought accommodation till Monday. Hence, hearing is adjourned till Monday. 8. List for hearing on 08.12.2025. (Subhash Upadhyay, J.) 04.12.2025 (G. Narendar, C.J.) 04.12.2025 KK/SS
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