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ITEM NO.36

COURT NO.2

SECTION XII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NOS. 3633-3634 OF 1999

U.P.POLLUTION CONTROL BOARD

Petitioner(s)

VERSUS

ANIL K. KARNWAL & ORS

Respondent(s)

(With appln(s) for exemption from filing O.T., stay, c/delay in filing undertaking, permission to submit additional document(s), permission, c/delay in filing reply affidavit)

WITH

CONMT.PET.(C) NO. 147 of 2007

In

CIVIL APPEAL No. 3634 OF 1999

(With appln.(s) for an application for discharge and office report)

[I.A.NOS.17-18 & 21-66 IN C.A.NOS.3633-3634/1999 IS "FOR PERMISSION TO OPEN TO RUN AND TO RECONSIDER THE ISSUE OF RELOCATION OF THE INDUSTRIES OF HAPUR AND C/DELAY IN UNDERTAKING FILED BY RESPONDENT NOS.25-28,30-36,43-46,48-49 AND 51-60" RESPECTIVELY]

Date: 27/01/2014 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Appellant(s)

CA 3633-3634/1999

Mr. Pradeep Misra, Adv.

CP 147/2007

Ms. Pinki Anand, Sr. Adv.  
Mr. Ashok Kumar Sharma, Adv.  
Mr. Vikalp Mudgal, Adv.

For Respondent(s)

Mr. Rajeev Dutta, Sr. Adv.  
Mr. M.Z. Chaudhary, Adv.  
Mr. S.A. Zaidi, Adv.  
Mr. Aftab Ali Khan, Adv.

Mr. T.N. Singh, Adv.  
Mr. Siddharth Sengar, Adv.  
Mr. Abhishek Chaudhary, Adv.

Mr. Ashok Kumar Sharma, Adv.  
Mr. Vikalp Mudgal, Adv.  
Mr. Sanjay Jha, Adv.

Ms. Shobha, Adv.  
Ms. Jyoti Rana, Adv.

Mr. Suryanarayana Singh, A.A.G.  
Ms. Pragati Neekhara, Adv.

Mrs. Nandini Gore, Adv.

Mr. Lakshmi Raman Singh, Adv.

Mr. M.C. Dhingra, Adv.

Mr. P.K. Manohar, Adv.

Mr. Anil Kumar Jha, Adv.

Mr. Chander Shekhar Ashri, Adv.

Mr. Shiv Prakash Pandey, Adv.

Mr. Himinder Lal, Adv.

Ms. Anu Mohla, Adv.

Mr. Rakesh Uttamchandra Upadhyay, Adv.

Mr. Varinder Kumar Sharma, Adv.

M/s J.S. Wad & Co.

Mr. Kamendra Mishra, Adv.

Mr. Adarsh Upadhyay, Adv.

Mr. Pradeep Misra, Adv.

Mrs. Manik Karanjawala, Adv.

Mr. Sudhir Kulshreshtha, Adv.

Ms. Shweta Garg, Adv.

Mr. Gunnam Venkateswara Rao, Adv.

Mr. Rakesh U.Upadhyay, Adv.

Mr. Manoj K. Mishra, Adv.

UPON hearing counsel the Court made the following

O R D E R

Though on 09.09.2013 this Court passed the order that the appellant - U.P. Pollution Control Board (for short, 'Board') would indicate to each of the industries the requirements to be fulfilled for grant of consent including modernisation and we are informed that pursuant thereto the Board has informed each of the industries the necessary requirements for grant of consent, yet we find that on 26.09.2013 an affidavit has been filed by Mr. Niranjana Singh Tyagi in response to the reply affidavit dated 03.07.2013 filed by the Board wherein it is stated that the polluting industries are in operation without installing any device to reduce the pollution as on 20.09.2013.

Response to the affidavit dated 26.09.2013 filed by Mr. Niranjana Singh Tyagi has assumed importance as Mr. Pradeep Misra, learned counsel for the appellant - Board, submits that no polluting industry is operational and they have been closed way back in 2003-2004.

The Board shall file its response to the affidavit dated

26.09.2013 filed by Mr. Niranjn Singh Tyagi within one month. Before filing the affidavit, the Board will also survey the affected areas to find out whether or not any of these polluting industries are in operation and submit the report to this Court along with the affidavit.

List the matters on March 3, 2014.

|(Rajesh Dham)  
|Court Master

| |(Renu Diwan)  
| |Court Master

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