

j"CA 3633-3634/1999

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ITEM NO.3

COURT NO.4

SECTION XII

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

RECORD OF PROCEEDINGS

I.A. Nos.81-82/2015, I.A. Nos.83-84/2016 AND I.A. Nos.85-86/2016

In

Civil Appeal Nos.3633-3634/1999

U.P.POLLUTION CONTROL BOARD

Appellant(s)

VERSUS

ANIL K. KARNWAL & ORS

Respondent(s)

(For directions and exemption from filing O.T. and c/delay and office report)

Date: 30/09/2016 These applications were called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE DIPAK MISRA

HON&#39;BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s) Mr. Ranjit Kumar, S.G.

Mr. Pradeep Misra, AOR

Mr. Daleep Kr. Dhyani, Adv.

Mr. Suraj Singh, Adv.

For Respondent(s) Mr. Vivek Vishnoi, Adv.

Mr. M.R. Shamshad, Adv.

Mr. Zaki Ahmed Khan, Adv.

Parul Shukla, Adv.

Mr. Abhishek Chaudhary, AOR

Mr. Adarsh Upadhyay, AOR

Mr. Rajiv Dutta, Sr. Adv.

Mr. M.Z. Chaudhary, Adv.

Mr. S.a. Zaidi, Adv.

Mr. Shafiq Khan, Adv.

Mr. Amit Kumar, Adv.

Mr. Tanveer Khaleeq, Adv.

Mr. Aftab Ali Khan, AOR

Mr. Anil Kumar Jha, AOR

Mr. Ashok Kumar Sharma, AOR

Mr. Vikalp Mudgal, Adv.

Mr. Kishitij Mudgal, Adv.

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Mr. Chander Shekhar Ashri, AOR

Mr. Himinder Lal, AOR

Mr. Franklin Caesar Thomas, Adv.

Mr. Chand Qureshi, Adv.

Mr. M.P. Siddiqui, Adv.

Mr. Kamlendra Mishra, AOR

Mr. Lakshmi Raman Singh, AOR

Mr. M. C. Dhingra, AOR

Mr. P. K. Manohar, AOR

Mr. Rakesh Uttamchandra Upadhyay, AOR

Mr. Shiv Prakash Pandey, AOR

Mrs. Nandini Gore, AOR

Mohd. Shahid Hussain, Adv.

Mr. Varinder Kumar Sharma, AOR

Ms. Sakshi Mehley, Adv.

Mr. Vijay Panjwani, AOR

Ms. Anu Mohla, AOR

M/s. J. S. Wad & Co.

Mr. S.S. Shamsbery, AAG

Mr. Amit Sharma, Adv.

Mr. Prateek Yadav, Adv.

Mr. Ankit Raj, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Mr. Vijay Panjwani, learned counsel appearing for the Central Pollution Control Board, has submitted that out

of three units, one unit, M/s. Rayban Foods Pvt. Ltd., is operational, but it has to follow certain preventive measures. That apart, it is submitted by him that the boundary wall of the said unit from all sides requires to be constructed.

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Mr Rajiv Dutta, learned senior counsel appearing for the said unit has submitted that the boundary wall has been constructed from all sides.

As far as the second unit i.e. M/s. Rayban Organics Pvt. Ltd., is concerned, the same is functional, but it has to follow certain conditions that has been imposed by Central Pollution Control Board.

The Central Pollution Control Board shall send a team to verify the same at the cost of the said units within two weeks from today. After existence of the boundary wall is verified and the conditions imposed by the C.P.C.B. are fulfilled, the U.P. Control Pollution Board can grant consent to the said units i.e. M/s. Rayban Foods Pvt. Ltd. and M/s. Rayban Organics Pvt. Ltd.

As far as the third unit, M/s. Bharat Feeds and Fertilizers is concerned, it is non-operational and as submitted by Mr. Panjwani, it can never become operational.

Mr. Ranjit Kumar, learned Solicitor General appearing for the petitioner, U.P. Pollution Control Board, submits that the report of the Central Pollution Control Board is otherwise. The matter shall be debated after four weeks.

The U.P. Pollution Control Board, Central Pollution Control Board and the Nagar Palika of Hapur, U.P., shall see to it that no illegal slaughtering or storage takes place in the municipal area.

Let the matter be listed after two weeks.

(Chetan Kumar)

Court Master (H.S. Parasher)

Court Master