

ITEM NO.101

COURT NO.11

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 NO(s). 3633-3634 OF 1999

U.P.POLLUTION CONTROL BOARD

Appellant (s)

VERSUS

ANIL K. KARNWAL & ORS

Respondent(s)

(With appln(s) for stay, exemption from filing O.T.,  
permission to submit additional document(s) and office report )

WITH

W.P(C) NO. 66 of 2007

(With appln(s) for directions and office report)

W.P(C) NO. 67 of 2007

(With appln(s) for stay and office report)

Date: 18/11/2010 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s)

Mr. Pradeep Misra, Adv.  
Mr. Suraj Singh, Adv.  
[for U.P. Pollution Control Board]

For Respondent(s)

Mr. P.N. Mishra, Sr. Adv.  
Mr. R.K. Gupta, Adv.  
Mr. Kamalendra Mishra, Adv.  
[For State of U.P. and Hapur  
Pilkhuwa Development Authority]  
  
Mr. Rajeev Dutta, Sr. Adv.  
Mr. S.A. Zaidi, Adv..  
[for M/s. S.S.A. Glue Factory, respondent no.44]  
  
Mr. Ankur Sood, Adv.  
[for M/s. Kalra Glue Factory, respondent no.54]  
  
Mr. Ashok Kumar Sharma, Adv.  
[for villagers- private respondents]

None present for

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U.P. State Industrial Corporation

contd...2/-

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UPON hearing counsel the Court made the following

O R D E R

perused Heard learned counsel for the parties and  
affidavit dated 26.10.2010 of Smt. Pushpa

Devrar, Sub Divisional Magistrate, Hapur, affidavit  
dated 3.11.2010 of Shri V.P. Singh, Secretary, Hapur  
Pilkhuwa Development Authority and affidavit dated  
9.11.2010 of Shri R.K. Chauhan, Regional Manager, U.P.  
State Industrial Development Corporation, Lakhanpur  
(Kanpur).

We have also perused order dated 14.12.2004.

We are prima facie of the view that the  
officers of the U.P. Pollution Control Board have acted  
in violation of the injunction granted by this Court  
and thereby made themselves liable to be proceeded  
against under the Contempt of Courts Act, 1971 (for  
short, "1971 Act").

Let notice be issued to the Chairman and  
Member Secretary of the U.P. State Pollution Control  
Board to show cause as to why proceedings may not be  
drawn against them under the 1971 Act and they may not  
be punished for having acted in violation of the stay  
order passed by this Court inasmuch as they have  
granted consent to M/s. Bharat Feeds and fertilizers,  
Unit-2, Idgah Road, Hapur, M/s. Rayban Organics Pvt.  
Ltd., Rampur Road and M/s. Standard Bone Manure, Unit-  
2, Idgah Road, Hapur on 31.3.2009, 31.2.2009 and  
30.9.2010 respectively.

Shri Pradeep Misra, learned counsel for the  
appellants accepts notice on behalf of both the  
functionaries of the U.P. State Pollution Control Board  
and prays for time to file reply.

Put up on 29.11.2010 for consideration of the  
contempt matter. On that day, both the functionaries  
of the U.P. State Pollution Control Board shall remain

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present in person.

Contd...3/-  
Shri P.N. Mishra, learned senior counsel  
assisted by Shri Kamendra Mishra, Advocate-on-record  
for the Hapur Pilkhuwa Development Authority shall  
ensure that all the pending disputes between the Uttar  
Pradesh State Industrial Development Authority and  
Hapur Pilkhuwa Development Authority are settled within  
next two weeks and possession of the land is  
transferred to the former so as to enable it to carve  
out plots, which could be allotted to industrial units  
which were closed down pursuant to the direction given  
by this Court.

(A.D. Sharma)  
Court Master

(Phoolan Wati Arora)  
Court Master