

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. _____ OF 2019
D No.10481/2019

NATIONAL HIGHWAYS & INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD.

APPELLANT(s)

VERSUS

GAURAV JAIN & ANR.

RESPONDENT(s)

O R D E R

Delay condoned.

The National Green Tribunal¹ by its judgment and order dated 1 November 2018 directed the appellant to deposit a sum of Rupees Two Crores with the Central Pollution Control Board towards the Environment Restitution Fund.

Mr. Debal Bannerji, learned senior counsel appearing on behalf of the appellant submitted that a copy of the Report of the Expert Committee was not furnished to the appellant before the direction for compensation was issued. This is buttressed by the statement contained in paragraph 9 of the impugned order, which is in the following terms:

“9. Learned counsel for the parties will be entitled to a copy of the report on furnishing their e-mail IDs to the Registry.”

Since the grievance of the appellant is that it had no opportunity to object to or respond to the Report of the Expert Committee, we are of the view that it would be appropriate if the NGT considers this grievance. We accordingly permit the appellant to move an appropriate application before the NGT. If this is done within a period of two weeks from today, the direction for the compensation in paragraph 6 of the impugned order shall continue to remain stayed until the NGT disposes of the application.

We would request the NGT to deal with the objections, if any, of the appellant and its submissions on merits.

The Appeals are disposed of.

.....J.
(DR DHANANJAYA Y CHANDRACHUD)

.....J.
(HEMANT GUPTA)

NEW DELHI
APRIL 12, 2019

ITEM NO.15

COURT NO.11

SECTION XVII

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

CIVIL APPEAL NOS. _____ OF 2019
D No.10481/2019

NATIONAL HIGHWAYS INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD.

Petitioner(s)

VERSUS

GAURAV JAIN & ANR.

Respondent(s)

(WITH IA No.57848/2019-CONDONATION OF DELAY IN FILING and IA No.57851/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.57855/2019-STAY APPLICATION and IA No.58410/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 12-04-2019 These appeals were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Debal Bannerji, Sr. Adv.
Mr. Prasenjit Keswani, Adv.
Mr. Raghvendra Pratap Singh, Adv.
Mr. Kabir Shankar Bose, Adv.
Mr. Shashank Manish, AOR
Ms. Samridhi Hota, Adv.
Mr. Yash Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

The Appeals are disposed of in terms of the signed order.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER

(Signed order is placed on the file)