

ITEM NO.9

COURT NO.2

SECTION IX

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

Petition(s) for Special Leave to Appeal (Civil) No(s).16860/2012

(From the judgement and order dated 11/05/2012 in SCA No.5986/2010  
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

M/S ELECTROTHERM (INDIA) LTD.

Petitioner(s)

VERSUS

PATEL VIPULKUMAR RAMJIBHAI &amp; ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and  
with prayer for interim relief and office report )  
[for final disposal]

Date: 22/04/2014      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)      Dr.    Abhishek Manu Singhvi, Sr. Adv.  
                                 Mr.    P.S. Narasimha, Sr. Adv.  
                                 Mr.    Nakul Mohta, Adv.  
                                 Mr.    Mahesh Agarwal, Adv.  
                                 Mr.    Abhinav Agarwal, Adv.  
                                 Mr.    Ankur Saigal, Adv. for  
                                 Mr.    E.C. Agrawala, Adv.

For Respondent(s)      Ms. Meenakshi Arora, Sr. Adv.  
                                 Mr. S. Udaya Kumar Sagar, Adv.  
                                 Ms. Bina Madhavan, Adv.  
                                 Mr. Rahul Pandey, Adv. for  
                                 M/S. Lawyer'S Knit & Co.

                                 Mr.    S.A. Haseeb, Adv.  
                                 Mr.    Gaurav Sharma, Adv.  
                                 Mr.    D.K. Thakur, Adv. for  
                                 Mr.    S.N. Terdal, Adv.

CPCB                      Mr. Vijay Panjwani, Adv.  
                                 Ms. Madhur Panjwani, Adv.

GPCB                      Ms. Hemantika Wahi, Adv.  
                                 Ms. Puja Singh, Adv.  
                                 Ms. Antony, Adv.

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UPON hearing counsel the Court made the following

## O R D E R

The matter has been almost fully heard.      Having regard to the submissions of the learned senior counsel and the notifications of 1994 and 2006, it has become necessary to get the joint inspection done of the petitioner's project from the Gujarat Pollution Control Board and Central Pollution Control Board (CPCB) and report submitted to this Court whether the petitioner has complied with the

recommendations of the Central Pollution Control Board which are specified in para 7 of the affidavit of Mr. R.K. Purohit, Senior Executive Director of the petitioner in response to the affidavit of Central Pollution Control Board dated 18.7.2012.

We, accordingly, direct the Central Pollution Control Board and Gujarat Pollution Control Board to make a joint inspection of the petitioner's project in the 3rd week of June, 2014 and report about the compliance of the recommendations as set-out in the above affidavit. The report shall be submitted on or before 5.7.2014. We make it clear that if from the report it transpires that the petitioner has not yet complied fully with the recommendations specified in the affidavit noted above, the special leave petition shall have to be dismissed. On the other hand, if the full compliance of the above recommendations is found to have been made, the impugned order of the High Court will be set-aside.

List the matter on 15.7.2014. No further arguments will be heard beyond consideration of the report as observed above.

(Pardeep Kumar)  
AR-cum-PS

(Renu Divan)  
Court Master