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W.P(C)No. 13381 OF 1984

ITEM No.1

Court No. 5

SECTION PIL  
A/N MATTER

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

IA No 348 In Writ Petition(Civil) No.13381/1984

M.C. MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(for impleadment on behalf of M/s.Govel Lhere Brick Field)  
with

I.A.Nos.349-352 in W.P.(c) 13381/84 M.C. MEHTA VS. UOI & ORS.  
(for directions and exemption from filing O.T.)

I.A.Nos. 358-359 in W.P.(c) 13381/84 M.C.MEHTA VS. UOI & ORS.

(for directions and impleadment)  
Regarding: M/s. Madhawar Brick Field, Fatehabad.

I.A. Nos.366-369 in W.P. (c) 13381/84 MC. MEHTA VS. UOI & ORS.  
(for impleadment and directions and exemption from filing O.T.)  
IN THE MATTER OF: M/S BAJRANG BRICK FIELD & ANR.

I.A.NOS.360 AND 361 IN W.P. C) 13381/84 MC. MEHTA VS.UOI & ORS.  
(for directions and exemption from filing O.T. on behalf of  
M/s.Kumar & Bros.

I.A.NO.364 IN WP (C) 13381/84 MC. MEHTA VS. UOI & ORS.  
(for directions on behalf of M/s. Gehlot Brick Field)

Date 23/10/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE MR. JUSTICE P.VENKATARAMA REDDI  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)

In person (N/P)

for the Applicants: Mr.M.N. Krishnamani,Sr.Adv.,  
Pt.Parmananand Katara,Adv.,  
Dr.Kailash Chand,Adv.

Mr.Sanjay Parikh,Adv.,

Mr.Sudhir Kulshreshtha,Adv.

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for the Respondent(s) Mr.Krishan Mahajan,Adv. (N/P)  
for CPCB: Mr.Vijay Panjwani,Adv.  
for UPSPCB: Mr.Pradeep Mishra,Adv.  
for UOI  
Mr.Satpal Singh,Adv.,  
Mr.R.N. Poddar,Adv.  
Mr.BV Balram Das,Adv.  
Ms.Niranjana Singh,Adv.,  
Ms.Anil Katiyar,Adv.  
for State of U.P./ Mr.Ajay K. Agrawal,Adv.  
U.P.Jal Nigam Ms.Alka Agrawal,Adv.  
Mr.Goutam Awasti,Adv.,  
Ms.Anamika Aagrawal,Adv.

UPON hearing counsel the Court made the following

O R D E R

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I.A.Nos.348,349-352. List tomorrow.@@  
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I.A.Nos.358-359. Heard the learned counsel for the@@  
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parties. Considering the affidavit filed by Subhash Chandra Gupta it would be open to the applicant-M/s.Madhawar Brick Field Pattikhera, Fatehabad, Agra (U.P.) to operate the brick kiln. Learned counsel for the applicant has submitted that with regard to solid waste of the ash contained which is required to be disposed of would be re-cycled in brick kiln or shall be disposed to landfill as far as possible. The applications stand disposed of accordingly.

I.A.Nos.366-369. Issue notice returnable after five@@  
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weeks. Meantime, applicant to obtain necessary permission from the State Pollution Control Board by filing proper application.

I.A.Nos.360-361. Heard the learned counsel for the@@  
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parties. Application to be placed on Board for hearing only when the applicant files an affidavit stating that he has

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obtained necessary permit from the U.P.Pollution Control Board and that he has complied with all the recommendations made by NEERI as well as directions issued by this Court for starting the brick kiln. It would be open to the State Pollution Control Board to reject the application filed by the applicant on the ground that applicant cannot start the brick kiln in the prohibited area. List after six weeks.

I.A.No.364. Learned counsel for the applicant seeks@@  
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leave to add Archaeological Survey of India as party respondent. Permission granted. Issue notice to the ASI returnable after six weeks.

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(Vijay Kumar Sharma)  
Court Master

(Janki Bhatia)  
Court Master