

ITEM NO.5

COURT NO.5

SECTION X

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).9023-9024/2011

(From the judgement and order dated 11/02/2010 and 27/08/2010 in WP No.613/2008 of The HIGH COURT OF UTTARAKHAND AT NAINITAL)

DALBIR SINGH SHISODIA

Petitioner(s)

VERSUS

AJAY SINGH RAWAT & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 26/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr.N.S.Gahlot, Adv.
Mr.Sahdev Singh, Adv.
Mr. Raj Singh Rana, Adv.

For Respondent(s) Mr.Mukesh Verma, Adv.
Mr. Jatinder Kumar Bhatia, Adv.
Mr. Abhishek Atrey, Adv.

For Union of India None

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

On 08.05.2012, this Court had recorded the following order:

"Learned senior counsel representing the Union of India submits that the petitioner cannot be allowed to undertake mining operation without getting clearance from the Competent Authority constituted under the Notification issued under the Environment Act, 1986 read with Rule 5.3.d of the Environment Protection Rules, 1986. He undertakes to place on record copy of the notification issued under the 1986 Act from time to time.

Put up on 07.09.2012."

The office report shows that the counsel for the Union of India has not filed any document including the Notification issued under the Environment Protection Act, 1986 which prohibits mining at the site in question.

The Registry is directed to inform the Attorney General of India about the absence of the counsel representing the Union of India so that he may take cognizance of the absence of the counsel for Union of India and issue appropriate instruction for ensuring presence of the advocate.

List the case after one week.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master