

ITEM NO.13

COURT NO.1

SECTION XVII

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. 480/2023

M/S R.J. TRIVEDI AND CO. & ORS.

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

**(IA No.16240/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.16239/2023-STAY APPLICATION and IA
No.16238/2023-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)**

Date : 02-02-2023 This appeal was called on for hearing today.

**CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE J.B. PARDIWALA**

**For Appellant(s) Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Anand Varma, AOR
Ms. Apoorva Pandey, Adv.
Ms. Adyasha Nanda, Adv.
Ms. Shivani Vij, Adv.**

**For Respondent(s) Mr. M. A. Venkata Subramanian, Adv.
Mr. Rohit K. Singh, AOR**

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

- 1 Mr Gopal Sankaranarayanan, senior counsel appearing on behalf of the petitioners submits that:
 - (i) There was a specific finding by the expert committees appointed by the National Green Tribunal to the effect that there was no environmental damage;
 - (ii) Despite the above finding, the National Green Tribunal has ordered the payment of compensation merely on the basis of an averaging out of three alternative methodologies which were suggested; and

(iii) This Court has held in **Kantha Vibhag Yuva Koli Samaj Parivartan Trust vs State of Gujarat**¹ that the National Green Tribunal has to carry out its adjudicatory functions which cannot be dedicated to a third party agency.

2 Issue notice, returnable in six weeks.

3 Pending further orders, no coercive steps shall be taken against the petitioner on the basis of the impugned order.

(MANISH ISSRANI)
COURT MASTER(SH)

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR