

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.(S) OF 2022
(@ Diary No(s).3813/2022)

SRI VINAYAGA CARBONS

Petitioner(s)

VERSUS

THE CHAIRMAN & ORS.

Respondent(s)

WITH

CIVIL APPEAL NO.(S) OF 2022
(@Diary No(s). 3815/2022)

O R D E R

Permission to file the civil appeals is granted.

Learned counsel for the appellants, submits that the impugned order passed by the National Green Tribunal, Southern Zone, Chennai, was without notice to the appellants, who were never heard. Appellants, it is stated, are compliant with the statutory norms.

The impugned order refers to arguments advanced by an association of charcoal manufacturers who had intervened and was heard before the impugned order was passed.

Be that as it may, it would be open to the appellants to file a review application before the National Green Tribunal, Southern Zone, Chennai, to press their case. Review application, if filed, would be considered on grounds as

permissible in law.

Learned counsel for the appellants states that the review application may be barred by limitation. If that be so, it will be open to the appellants to move an application for condonation of delay, which application would be considered giving due regard to the fact that the appellants had filed the present appeals.

With the aforesaid observations, the civil appeals are disposed of without foreclosing the right of the appellants to subsequently challenge the impugned order.

Pending application(s), if any, stand disposed of.

..... .J.
[SANJIV KHANNA]

..... .J.
[BELA M. TRIVEDI]

NEW DELHI
25TH FEBRUARY, 2022

ITEM NO.10 Court 16 (Video Conferencing) 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 Diary No(s). 3813/2022

(Arising out of impugned final judgment and order dated 20-11-2020 in OA No. 24/2013 passed by the National Green Tribunal, Southern Zone At Chennai)

SRI VINAYAGA CARBONS

Petitioner(s)

VERSUS

THE CHAIRMAN & ORS.

Respondent(s)

(IA No.21877/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.21881/2022-EXEMPTION FROM FILING AFFIDAVIT and IA No.21875/2022-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

WITH

Diary No(s). 3815/2022 (XVII)

(IA No.23273/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.23274/2022-EXEMPTION FROM FILING AFFIDAVIT and IA No.23271/2022-PERMISSION TO FILE APPEAL)

Date : 25-02-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Ms. Durga Devi, Adv
Mr. Arup Banerjee, AOR

For Respondent(s)

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

Permission to file the civil appeals is granted.

The civil appeals are disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(SONIA BHASIN)
COURT MASTER (SH)

(DIPTI KHURANA)
COURT MASTER (NSH)

[Signed Order is placed on the file]