

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO(S). 1515 OF 2023

M/S. BRANDIX APPAREL INDIA PVT. LTD.APPELLANT(S)

VERSUS

**CENTRAL POLLUTION CONTROL BOARD
(CPCB) & ORS.**

....RESPONDENT(S)

WITH

**CIVIL APPEAL NO(S) OF 2023
(DIARY NO. 6309 OF 2023)**

O R D E R

Permission to file appeal in Diary No. 6309 of 2023 is granted.

One of the objections raised by the appellant(s) before us in the present appeals while questioning the order dated 18.01.2023 is that the Tribunal has determined the compensation without impleading the present appellant(s) as one of the respondent(s) and what is being indicated from the order impugned is that the present appellant(s) who

are directly affected have not been heard and denied their right of fair opportunity of hearing is in violation of principles of natural justice.

It reveals from the order (OA No. 448 of 2022) that Mr. Varun Byreddy, Advocate appeared for M/s. Brandix India Apparel City Pvt. Ltd., SEZ, and before us, the appellants are (i) M/s. Brandix India Apparel India Pvt. Ltd. and (ii) M/s Brandix Intimate India Pvt. Ltd., who were not the party-respondents before the Tribunal.

Taking the objection raised by the appellants on its face value, this Court is not inclined to interfere with the order impugned, however, we grant liberty to the appellants to file their respective application before the Tribunal. If such an application is filed, it may be considered by the Tribunal on its own merits, taking note of the grievance which the appellant(s) have pointed out to this Court, obviously after affording the opportunity of hearing to the parties in accordance with law, and without being prejudice with the observations made in the order impugned dated 18.01.2023.

Learned senior counsel appearing for the appellant(s) submit that they will file the application within two weeks from today.

With these observations/directions, the present appeals are disposed of.

Parties are at liberty to challenge the order if aggrieved by the order passed by the Tribunal, as the law permits to them.

Pending interlocutory application(s), if any, is/are disposed of.

.....**J.**
(AJAY RASTOGI)

.....**J.**
(BELA M. TRIVEDI)

NEW DELHI;
MARCH 17, 2023.

ITEM NO.26

COURT NO.5

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(s). 1515/2023

M/S. BRANDIX APPAREL INDIA PVT. LTD.

Appellant(s)

VERSUS

CENTRAL POLLUTION CONTROL BOARD (CPCB) & ORS.

Respondent(s)

(IA No.45588/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.45585/2023-STAY APPLICATION)

WITH

Diary No(s). 6309/2023 (XVII)

(IA No.44862/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.44860/2023-EX-PARTE STAY and IA No.44863/2023-
EXEMPTION FROM FILING O.T. and IA No.44857/2023-PERMISSION TO FILE
APPEAL)

Date : 17-03-2023 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Appellant(s) Mr. Pinaki Misra, Sr. Adv.
Mr. Abhinay Reddy M., Adv.
Ms. Shreya Devaki, Adv.
Mr. Venkata Raghuvamsy D., AOR

Mr. S. Guru Krishna Kumar, Sr. Adv.
Mr. Pooserla Vikram, Sr. Adv.
Mr. D. Bharat Kumar, Adv.
Mr. M. Chandrakanth Reddy, Adv.
Mr. Dasam Durga Shiva Sai, Adv.
Mr. Gopal Jha, AOR

For Respondent(s)

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

The Civil Appeals are disposed of in terms of the signed
order.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER

(Signed order is placed on the file)