

ITEM NO.19

COURT NO.7

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). 90/2023

ABCI INFRASTRUCTURES PVT. LTD.

Appellant(s)

VERSUS

MEMBER SECRETARY, CENTRAL POLLUTION
 CONTROL BOARD & ORS.

Respondent(s)

(IA No.3199/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT and IA No.3202/2023-STAY APPLICATION and IA No.3195/2023-
 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-01-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
 HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Mr. K.V. Vishwanathan, Sr. Adv.
 Mr. Gaurav Khanna, AOR
 Ms. Deepali Bhanot, Adv.

For Respondent(s)

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

Learned senior advocate for the appellant has drawn our attention to annexure - A-22 and states that the compensation payable under the Workmen's Compensation Act, 1923 would be Rs. 2,63,35,425/-, which is more than the amount quantified by the National Green Tribunal in the impugned order. The grievance of the appellant is that in case the payment is made in terms of the impugned order, the insurance company may deny their liability under the terms of the policy.

It is stated that in the proceedings fixed before the Lok

Adalat on 17.01.2023, the issue of compensation under the Workmen's Compensation Act, is likely to be resolved.

Issue notice, returnable in the month of April, 2023.

Notice may be served by all modes, including dasti.

In the meanwhile, there would be stay of operation of the impugned order to the extent of payment of compensation. This stay order, however, would not bar the proceedings pending before the Lok Adalat for compensation under the Workmen's Compensation Act, 1923.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)